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John V. Newcomb.
SECOND REPORT

ON THE

April 7, 1890.

CUSTODY AND CONDITION OF THE
PUBLIC RECORDS

Mass. Soc. of Commonwealth

Div. of Pub. Records OF

Annual Report - 2-0

pt. 1

PARISHES, TOWNS, AND COUNTIES.

BY

ROBERT T. SWAN,
COMMISSIONER.

BOSTON:

WRIGHT & POTTER PRINTING CO., STATE PRINTERS,

18 POST OFFICE SQUARE.

1890.

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Approved, June 7, 1890.

Wm. L. G. Norcross
Chicago
12/21/1889

1803313

Commonwealth of Massachusetts.

OFFICE OF THE COMMISSIONER ON PUBLIC RECORDS
OF PARISHES, TOWNS, AND COUNTIES,
9 PARK STREET, BOSTON, MASS.
JANUARY 1, 1890.

To the Honorable Senate and House of Representatives.

I have the honor to present to the Legislature the second report on the custody and condition of public records of parishes, towns, and counties.

On the 7th day of June, 1889, the Legislature passed the following resolve:—

[CHAPTER 103.]

RESOLVE PROVIDING FOR THE FURTHER COLLECTION AND PRESERVATION OF THE PUBLIC RECORDS OF THE PARISHES, TOWNS AND COUNTIES OF THE COMMONWEALTH.

Resolved, That the commissioner appointed under the provisions of chapter sixty-five of the resolves of the year eighteen hundred and eighty-four is hereby directed to take such action as may be necessary in order to complete the work begun under said chapter, and to put the public records of the parishes, towns and counties of the Commonwealth in the custody and condition contemplated by the various laws relating to such records, and in order to secure their preservation. He shall be provided with an office in some suitable place in the city of Boston, and he shall make a report in writing to the legislature in January of each year of the results of his labors in accordance herewith. The said commissioner shall, for such period, not exceeding three years, beginning with the first day of March in the present year, as the governor and council may determine, receive such compensation as may be fixed by them; and he may expend such sums for travelling, clerical and other expenses necessary in the performance of his duties as the governor and council may approve; but the total expenditures under this resolve shall not in any one year exceed four thousand dollars.

Approved June 7, 1889.

1803313

Commonwealth of Massachusetts

OFFICE OF THE COMMISSIONER ON PUBLIC RECORDS
OF PARISHES, TOWNS, AND COUNTIES,
2 PARK STREET, BOSTON, MASS.
JANUARY 1, 1893.

To the Honorable Senate and House of Representatives.
I have the honor to present to the Legislature the second report on the custody and condition of public records of parishes, towns, and counties.
On the 15th day of June, 1889, the Legislature passed the following resolve:—

[CHAPTER 103.]

RESOLVE PROVIDING FOR THE FURTHER COLLECTION AND PRESERVATION OF THE PUBLIC RECORDS OF THE PARISHES, TOWNS AND COUNTIES OF THE COMMONWEALTH.

Resolved, That the commissioner appointed under the provisions of chapter sixty-five of the resolves of the year eighteen hundred and eighty-four is hereby directed to take such action as may be necessary in order to complete the work begun under said chapter, and to put the public records of the parishes, towns and counties of the Commonwealth in the custody and condition contemplated by the various laws relating to such records, and in order to secure their preservation. He shall be provided with an office in some suitable place in the city of Boston, and he shall make a report in writing to the Legislature in January of each year of the results of his labors in accordance herewith. The said commissioner shall, for each period, not exceeding three years, beginning with the first day of March in the present year, as the governor and council may determine, receive such compensation as may be fixed by them; and he may expend such sums for traveling, official and other expenses necessary in the performance of his duties as the governor and council may approve; but the total expenditures under this resolve shall not in any one year exceed four thousand dollars.

Approved June 7, 1893.

Upon issuing the first report of this Commission, the Hon. Carroll D. Wright tendered his resignation to His Excellency the Governor, who did me the honor to appoint me his successor, and upon the 5th day of July I entered upon my duties under the above Resolve.

As the work upon the first report was not completed until June, and this report was of necessity placed in the hands of the State printers in December, it contains the record of the work of but about five months, much of which, being a continuation of the work of a preliminary character, will not show results until later. The work up to the time of issuing the first report had been that of investigation, and, based upon the information obtained, the work has been continued.

The greatest need of improvement in the condition of the records was in the towns, and attention was first directed to those.

TOWN RECORDS.

The word town in this report, as in the Resolve establishing this Commission, is intended to include cities, unless the context shows that it applies to towns only.

Chapter 37 of the Public Statutes provides as follows : —

SECT. 2. The county commissioners, city governments, and selectmen of the respective counties, cities, and towns, shall have all books of public record or registry belonging thereto substantially bound, and all papers and documents within their respective departments duly filed and arranged conveniently for examination and reference, and shall also cause such of said records as may be left incomplete by any clerk or register to be made up and completed by his successor from the files and usual memoranda as far as practicable, and certified and preserved in the same manner and with the same effect as if the same had been done by the officer who left them incomplete.

SECT. 4. City governments and selectmen shall provide, at the expense of their respective cities and towns, fire-proof safes of ample size for the preservation of books of record or registry and other important documents or papers belonging to such cities or towns; and the clerk of each city and town shall keep in the safe so provided all such books, papers, and documents at all times except when they are wanted for use.

Upon issuing the first report of this Commission, the Hon. Carlton D. Wright tendered his resignation to His Excellency the Governor, who did me the honor to appoint me his successor, and upon the 5th day of July I entered upon my duties under the above resolve.

As the work upon the first report was not completed until June, and this report was of necessity placed in the hands of the State printer in December, it contains the record of the work of but about five months, much of which, being a continuation of the work of a preliminary character, will not show results until later. The work up to the time of issuing the first report had been that of investigation, and, based upon the information obtained, the work has been continued.

The greatest need of improvement in the condition of the records was in the towns, and attention was first directed to those.

Town Records.

The Commission, in its report, includes cities, unless the context shows that it applies to towns only. Chapter 87 of the Public Statutes provides as follows:—

SECT. 2. The county commissioners, city governments, and selectmen of the respective counties, cities, and towns, shall have all books of public record or registry belonging thereto suitably bound, and all papers and documents within their respective departments duly filed and arranged conveniently for examination and reference, and shall also cause such of said records as may be left incomplete by any clerk or register to be made up and completed by his successor from the files and usual memoranda as far as practicable, and verified and preserved in the same manner and with the same effect as if the same had been done by the officer who left them incomplete.

SECT. 4. City governments and selectmen shall provide, at the expense of their respective cities and towns, fire-proof safes or vaults for the preservation of books of record or registry and other important documents or papers belonging to such cities or towns; and the clerk of each city and town shall keep in the safe so provided all such books, papers, and documents at all times

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SECT. 7. When the records of a county, city, or town are becoming worn, mutilated, or illegible, the county commissioners, city government, or selectmen shall have fair and legible copies seasonably made. . . . and such copies shall be certified, by the register or clerk of the office in which they are made, to be true copies of the originals, and shall be preserved in like manner as the original records, papers, and documents of the place for which they are made.

SECT. 12. Registers of deeds and the registers and clerks of courts, cities, and towns shall keep all records and documents belonging to their respective offices in their sole custody, and shall in no case, except upon summons in due form of law or when the temporary removal of records and documents in their custody is necessary or convenient for the transaction of the business of the courts or the performance of the duties of their respective offices, cause or permit any record or document to be removed therefrom.

SECT. 14. The legal custody of the books of record and other documents of the ancient proprietors of townships or common lands, when such proprietors have ceased to be a body corporate, shall, unless they have made other legal disposition thereof, be vested in the clerk of the city or town in which such lands or the larger portion of them are situated; and if such records and documents are in the possession of any other person, such clerk shall demand the same.

SECT. 15. When a church or religious society ceases to have a legal existence, and the care of its records and registries is not otherwise provided by law, the person having possession of such records or registries shall deliver them to the clerk of the city or town in which such church or society was situated, and such clerk may certify copies thereof.

SECT. 16. Every county, city, and town, for each month it neglects or refuses to perform any duty required by this chapter, shall forfeit twenty dollars; every register or clerk who neglects or refuses to perform any such duty shall forfeit for each offence ten dollars; every person who takes and carries away any book of record, paper, or written document belonging to the records or files of any county, city, or town, except as is provided in section twelve, or who defaces, alters, or mutilates, by mark, erasure, cutting, or otherwise, any such record, paper, or written document, shall forfeit a sum not exceeding fifty dollars; and every person who, after demand made by the clerk entitled by law to have possession of books of record and other documents mentioned in the two preceding sections, wrongfully detains the same, shall forfeit fifty dollars.

Inquiry was immediately made in each city and town, to ascertain how far those provisions of the statute were complied with; and the result revealed a condition of affairs needing immediate attention. While many of the cities and towns have shown great interest in the care of their records, there are very many where the statute is mainly disregarded. Twenty towns were reported as having no safes, twelve as having worthless ones which the clerks would not use, and fifty-two as not having sufficient safe-room for all records and papers. The selectmen of each of the above towns were immediately written to, and their attention was called to the matter. In considering the matter of sufficiency of safe-room, many have not considered the valuation lists, collectors records, and records of the various boards, as records which should be kept in the town safe; so that there are, undoubtedly, more towns not having sufficient safe-room for all records. This part of the subject is considered elsewhere in the report.

Old records containing evidence that may at any time become of great importance to a town, if not already lost, are scattered about in attics of poorhouses, on shelves of grocery stores, and in similar places. Even when considered by their custodians to be reasonably well cared for, they are carefully packed away in places where their escape from loss by fire is only by the greatest good luck. If not burned, they are liable to be mutilated. The pages containing records upon which one of the towns depended for its evidence bearing upon a matter in suit have been torn from an ancient volume. The records of the town of Enfield, N. H., prior to the year 1853, were burned in a grocery store in October last, although the State of New Hampshire, in 1885, passed a law that town records should be kept in fire-proof receptacles.

Section 7 makes peremptory the copying of records which "are becoming worn, mutilated, or illegible;" yet there are very few of the older towns where there are not volumes which are crumbling to pieces by years of neglect, which should be copied immediately. Volumes of births, marriages, and deaths, having the dates on the outer edges of the pages, are becoming almost valueless by the wearing

away of the paper and the consequent obliteration of the dates.

Papers and documents are not arranged as required in section 2. Clerks have loaned records in violation of section 12, and have hesitated to assert their authority in regard to the records of the proprietors, as required by section 14, not wishing to offend persons having the records. There is nothing to require the clerk to demand the records named in section 15, and nothing to require that they be put in his possession unless demanded. In this case the law seems to be at fault rather than the officials, although any property belonging to a town should be claimed without special authority.

I intended, when commencing this investigation, to report the facts as ascertained in each city and town, but found that many of the present town officers to whom the blame would naturally attach for the existing state of affairs were in a degree excusable. They had received the town property from their predecessors; the current records were in good condition in a safe, and the old records had not been brought to their notice. In some cases the officers had not been able to obtain the sanction of the town in town meeting to incur the expense necessary for an improved condition of affairs. In certain towns there seemed to be no place in which to locate a safe where it would be of easy access to the clerk. The disposition was manifested on the part of most of the selectmen heard from to move in the matter, and in justice to all it has seemed best not to particularize in this report. To the selectmen of every town, however, the following letter was sent, and it is hoped that the subject will be considered at the annual town meetings, wherever the selectmen do not feel authorized to act before.

Boston, Nov. 11, 1889.

Selectmen of ———.

GENTLEMEN: — I would respectfully call your attention to chapter 37 of the Public Statutes, relating to public records, and to chapter 190 of the Acts of 1885, and chapter 202 of the Acts of 1887.

Sufficient information has been received from the several cities and towns to satisfy me that it is the exception rather than the rule where the provisions of the law are wholly complied with.

That part of section 7 of chapter 37 which obliges the copying of records which are becoming worn, mutilated, or illegible, is almost wholly disregarded in the older towns.

Under the requirements of section 4, provision should be made for sufficient safe-room for all records and important papers, including old valuation lists, records of the treasurers, collectors, school committee, and any boards keeping records of their proceedings.

In the event of the copying of the ancient records, it should be done by experts who are familiar with the peculiar characters and abbreviations used in such records. Some copies have been made, which from their inaccuracies are worse than useless.

I trust that you will take immediate action toward carrying out the plain requirements of the law.

Respectfully yours,

ROBERT T. SWAN,
Commissioner.

A similar letter made applicable to cities was sent to the mayor of each city.

Several towns have at my instigation already provided safes; others have the matter of a safe or vault under consideration; many are copying parts of their records, and several of the selectmen have by letter or in interviews promised to move in the matter. This is very gratifying and encouraging.

— Much of the neglect to comply with the statutes in the towns of large area has been because of the inconvenience of having but one town office and safe. The centre of the town and the centre of population are often different. The clerk, the chairman of the selectmen, the chairman of the assessors, and the collector, may live in four different parts of the town, and the town hall and safe may be midway between them all, and convenient to none.

Section 4, before referred to, says that the selectmen shall provide safes for the preservation of books of record and registry, and important documents and papers belonging to the town, and the clerk shall keep in the safe so provided all such books, papers, and documents. The Legislature evidently intended, when the Act of 1857 which this section perpetuates was passed, that the town records should have one custodian, — the town clerk. The provision was

a wise one, as fixing the responsibility for the records, and as putting them in the care of the officer likely to be more permanent in his office than other town officials. But where the towns are of very large area, it is not feasible to keep the various kinds of current records in one place, — in the immediate care of the town clerk. In such cases the only safety for the records seems to be to provide (which does not necessarily mean purchase, for room in the best of vaults is often hired) safes for the various officers using the various kinds of records, and for the clerk to keep a catalogue of all the records, and by frequent inspection know that they are in their proper places. The records of all kinds not in current use, and so not likely to be missed if mislaid, should be in the immediate care of the town clerk. A clerk going out of office should see that all records are transferred to the care of his successor, and if records were receipted for by successive clerks the loss of volumes would be prevented.

ASSESSORS AND COLLECTORS RECORDS.

The records of the assessors and collectors are in a pecuniary way the most valuable to the State of any of the town records, but are the records most neglected in the matter of preservation. Consultation with many of the town clerks satisfies me that, as a rule, the valuation lists are not considered a part of the records to which chapter 37 of the statutes applies. They are often considered of no value after the taxes are committed to the collector, and are found, if at all, in out-of-the-way places, like the attics of barns of the ex-assessors, where they are kept only because the room they occupy has not been needed, their destruction or loss being eventually certain. I am informed by a public officer that valuation lists of one of the towns were in the hands of a dealer in second-hand books, but a town official when notified of it by him expressed no desire to procure them. I have learned that the records were sold to a person who afterward offered to sell them to the town, but they were refused on the ground that the *persons whose names were in the lists were dead*. I hope to recover these records, and place them in the care of the town.

Another public officer tells me that one town, which he did not care to name, did not for several years make any valuation lists, the return of the aggregate valuation to the office of the Secretary of the Commonwealth having been made, however. Agents of the State Board of Lunacy and Charity have found instances of the deliberate and intentional destruction of such lists, and have been obliged to pay a fee to see those in possession of unauthorized persons.

The records of the collectors, more particularly in towns where the collector is not a salaried officer, are seldom in the custody of the town. The collectors claim that they are responsible for the amounts committed to them, and the record of receipts and abatements in their books is the only evidence of the proper performance of their duties. They consequently claim possession of the records. I have the testimony of both the Superintendent of In-door Poor and the Superintendent of Out-door Poor that the inability of their agents to procure and produce for evidence these records works great injustice to the State, and between towns, in the matter of settlement of paupers. Without the record of the collector, the proof of the payment of a tax is wanting, although the courts in such instances have sometimes held that the records of the assessment shall be *prima facie* evidence of payment. If the valuation list also is not accessible, all *prima facie* record evidence is gone. In such a case the State becomes burdened with the support of a pauper, or a town which has complied with the law by keeping and preserving its records which show that the pauper paid a tax there, becomes chargeable with his support. A dishonest town official, an ex-collector, or any person who can gain access to the records, can destroy all evidence in regard to the settlement of a pauper properly chargeable for support to a town. This emphasizes the necessity of giving the town clerk sole custody of all records, and of making him responsible for them.

By chapter 110 of the Acts of 1887, the Legislature provided that "every collector of taxes shall keep proper books of account, including a cash book in which he shall enter as they are received all sums paid to such collector," and that "all books kept by any collector of taxes by virtue of this

act or of any other provision of law shall be furnished at the expense and be the property of the city or town in which such collector holds office." This would seem to establish the fact that the Legislature considers these a part of the town records; and I would recommend that every ex-collector, or his executors or administrators, be obliged to deliver to the town clerk all records pertaining to the assessment or collection of taxes which are in his or their possession, and that all collectors deliver to the town clerk all of their records except such as are in present use. A receipt from the town, which will relieve the collector and his bondsmen, can be easily agreed upon.

RECORDS OF BIRTHS, MARRIAGES, AND DEATHS.

The first legislation in Massachusetts in regard to the records of births, marriages, and deaths was in 1639, and the last in 1889; and scattered through the intervening years there has been legislation tending to make easier the tracing of genealogy. This should be sufficient proof that the State considers these records of value to others than "cranks," as some of the custodians term the searchers among them. That they have not received the care intended or required by the statutes is lamentably true.

These records in early years were kept in any convenient books, large or small, or were entered indiscriminately with other records at the end of a volume reversed. Many of these records are lost or destroyed, but fortunately a copy of many for a certain period is in existence, although not in the towns to which they relate. This is owing to the following legislation:—

June 14, 1642, clerks of the writs were ordered to record all births and deaths, and deliver a return of the same yearly to the recorder of the court belonging to the jurisdiction in which they lived. Nov. 3, 1692, every justice and minister was ordered to register all marriages solemnized "before any of them," and make a return quarterly to the clerk of the sessions of the peace, to be by him registered. Dec. 1, 1716, every town clerk was ordered to give in a list of marriages to the clerk of the sessions of the peace, annually in April, to be recorded. From the 31st of December,

1786, these were to be returned to the court of general sessions of the peace, and this act continued in effect until April 1, 1796.

In consequence of these several acts, there are scattered through the records of the courts in the various counties for those periods records of births, marriages, and deaths. In the office of the city registrar in Boston there is a volume of records of births, marriages, and deaths, covering the years from 1630 to 1666, for fourteen towns existing at that time. (The custom of recording "things" at Boston probably accounts for this volume.) These records in many cases are copies of the records which have been lost in the towns, or which have become almost obliterated by careless handling. A few towns have made copies from these returns in the courts, thus supplying what they had lost. These records are scattered through the volumes, some of which are indexed and some partially indexed, with nothing to indicate that the index is incomplete, thereby misleading a searcher, and making it an almost hopeless task to find a particular record. It has been suggested that the State cause to be copied, printed, and placed in every town, the records of all the births, marriages, and deaths in the county courts; and I heartily approve of the suggestion. This would be a record of the births, marriages, and deaths in all the territory settled at the time, excepting such as were recorded in volumes which are missing. As all of the court records of the county of Barnstable, excepting those of the probate court, were burned in the county buildings Oct. 22, 1827, it would be well, for the sake of completeness, to include in the printed volume the births, marriages, and deaths contained in the town records of the several towns in that county for the time covered by the court records in the other counties, and also to include those recorded in the volume in the office of the city registrar in Boston.

Many records of births are found in records, even of the present day, where the Christian name is omitted, the child not having been named at the time the record was made. Careful town clerks take pains to supply the name before the matter is forgotten, and its importance is sufficient to warrant calling the attention of all clerks to it.

Searchers are often troubled, if not misled, in tracing genealogy or the descent of property, by the want of the record of the maiden name of a deceased married woman, or of the name of the mother of a deceased child. My attention has been called to a town where three men of the same name have married three women of the same name, whose identity is lost by the want of the record of their maiden names. This difficulty can easily be remedied by including in the returns made to town clerks by sextons and undertakers, and in the town clerk's records of deaths, the maiden name of a deceased married woman, and the maiden name of the mother of a deceased child. One city, at least, already requires these returns and makes the record.

PROPRIETORS RECORDS.

The records of the proprietors of common lands granted by the State to individuals, which ante-date as a rule the town records, have been sadly neglected. Persons who have chanced to obtain them have retained, and in some cases do still retain them, although in violation of the law; and many which are in possession of the towns are not preserved with proper care. There are many instances where lands have come down by descent in families where no title is shown by deeds, and in such cases these records may become of the greatest importance. Thanks to a few persons who know their value, usually the registers of deeds, the county commissioners have been led to move in the matter of copying them, as provided by section 9 of chapter 37 of the public statutes, and many have already been copied. Until better provision is made for the care of proprietors records in some of the towns, I shall not insist on their being surrendered by the persons holding them, but shall endeavor to have them copied by the county commissioners.

CORRECTIONS.

The following information has been received to correct the first report of this Commission. In Marshfield and Revere, the births, marriages, and deaths *are* indexed. In Waltham the volume of records of city proceedings was commenced in 1885, not 1884, and *is* indexed. Justice to

the clerks demands these corrections. Information received which is supplementary and not corrective will be given in a subsequent report.

CHURCH RECORDS.

The indiscriminate use of the terms church, parish, society, and congregation, was alluded to at length in the first report of this Commission (pp. xxviii-xxx). Wherever church records are referred to in this report, the records of church, parish, and society are included, unless the context shows that they relate to the particular records known as church records. Until the wisdom of ages can discover where the line can be drawn between these organizations, the term church records will be variously understood to relate to either, or all, when all are intended.

I assume that, as the statutes provide that every parish and incorporated religious society shall annually elect a clerk, who shall be sworn, they are expected to have records, although I do not find it distinctly set forth. As they are universally kept, however, there seems to be nothing required of me in connection with these records, except to assist in the recovery of such as are lost. As a step in that direction, I inserted the following advertisement in the leading denominational papers: viz., "Christian Register," "Christian Leader," "Churchman," "Congregationalist," "Watchman," and "Zion's Herald."

CHURCH RECORDS.

COMMONWEALTH OF MASSACHUSETTS.

OFFICE OF THE COMMISSIONER ON PUBLIC RECORDS OF PARISHES, TOWNS, AND COUNTIES.

9 PARK ST., BOSTON, Sept. 26, 1889.

The records of the existing churches named below are reported to this office as missing from their proper custody.

Any person who can give information in regard to these missing records, either church, parish, or society, will be rendering a service to the community, and will confer a favor upon the undersigned by sending the same to the above address.

ROBERT T. SWAN,
Commissioner.

EXISTING CHURCHES.

Amesbury, . . .	Cong., . . .	One vol.
Andover, . . .	Ballardvale M. E., . . .	Prior to 1863.
Attleborough, . . .	First Cong., . . .	Prior to 1740.
	Second Cong., . . .	Part of vol. 1636-1706.
Barnstable, . . .	Barnstable M. E., . . .	Prior to 1870.
Barre, . . .	M. E., . . .	Prior to 1860.
Beverly, . . .	Dane St. Cong., . . .	Prior to 1868.
	Universalist, . . .	1862-1866.
Boston, . . .	Christ P. E., . . .	1722-1806.
	Cottage St., now Pilgrim Cong. (Dorchester), . . .	1846-1862.
	First Parish of Dorchester, Unitarian, . . .	Prior to 1636.
	Franklin St., now Central Cong., . . .	Prior to 1841.
	Presbyterian (East Boston), . . .	Prior to 1859.
	Revere St. M. E., . . .	Prior to 1881.
	Temple St. M. E., . . .	Prior to 1873.
Braintree, . . .	First Cong., . . .	Prior to 1825.
Cambridge, . . .	First Parish, Unit., . . .	Prior to 1696.
Canton, . . .	First Cong. Parish, Unit., . . .	1726-1797.
Dedham, . . .	First Parish, Unit., . . .	1670-1724.
Dennis, . . .	M. E., . . .	-
Easton, . . .	Washington St. M. E., . . .	Prior to 1861.
Enfield, . . .	Cong., . . .	Prior to 1828.
Essex, . . .	First Cong., . . .	Prior to 1700.
Falmouth, . . .	First Cong., . . .	Prior to 1804.
Grafton, . . .	North Grafton, M. E., . . .	1841-1849.
Great Barrington, . . .	Trinity P. E., . . .	1845-1873.
Greenfield, . . .	Second Cong., . . .	1817-1862.
Harvard, . . .	Baptist, . . .	Prior to 1776.
Hawley, . . .	First Cong. (East Hawley), . . .	1798-1803.
Holden, . . .	Cong., . . .	1828-1852.
Ipswich, . . .	First Cong., . . .	Prior to 1720.
	South Cong., . . .	1865-1878.
Lanesborough, . . .	Baptist, . . .	Prior to 1833.
Lynn, . . .	St. Paul's M. E., . . .	1811-1885.
Marion, . . .	Universalist, . . .	Prior to 1844.
Natick, . . .	Natick Cong., . . .	First vol. 1836-1865.
New Bedford, . . .	Acushnet Cong., . . .	Prior to 1828.
New Marlborough, . . .	Hartsville M. E., . . .	1844-1858.
Newton, . . .	Myrtle Baptist, . . .	1874-1880.
Pelham, . . .	Cong., . . .	Prior to 1862.
Pittsfield, . . .	Pittsfield, M. E., . . .	1791-1831.
Provincetown, . . .	Centre M. E., . . .	1795-1839.
Stockbridge, . . .	First Cong., . . .	Prior to 1850.
Sturbridge, . . .	Cong., . . .	1767-1801.
Tolland, . . .	Cong., . . .	Prior to 1853.
Ware, . . .	First Cong., . . .	1754-1759.
Wareham, . . .	M. E., . . .	1826-1842.
Weymouth, . . .	Weymouth and Braintree Cong., . . .	First vol.
Winchendon, . . .	First Cong., . . .	1762-1799.
Windsor, . . .	Church of Christ, Cong., . . .	Prior to 1846.
Worcester, . . .	Central Cong., . . .	One vol.
Wrentham, . . .	First Cong., . . .	Prior to 1843.

The following church was omitted from the list of churches in the first report. The name, "The Congregational Parish," caused it to be confounded with the Congregational (Orthodox) parish, and the return was discarded as being a duplicate. It is gratifying to state that this is the only church in the State reported as having been omitted.

TOWN.	County	Distinguishing Name	Denomination	Year in which Organized	RECORDS		
					Kind	Years covered	Condition
Norton,	Bristol	{ The Congregational Parish }	Unitarian	1714 {	Church Parish	1714-1885 ¹ 1731-1885	Good Good

The records of extinct churches need attention. Ignorance of the law has been the excuse of many for retaining the old records of extinct churches, instead of putting them in possession of the town clerk. The clerk is not required by law to obtain them, and many have consequently been lost, destroyed, or overlooked. Some elderly people have retained such records, intending to present, as they term it, the town with its property; and they are loath to give them up when requested. The records of one extinct church have been burned since they were reported in 1885, in the dwelling of a person who had retained them unlawfully.

With the hope of bringing the lost records both of existing and extinct churches to the attention of antiquarians, genealogists, historians, and others, who possibly might have knowledge of them, I sent to historical societies in this and other States, and to well-known persons interested in such matters, a circular similar to the advertisement mentioned, including in addition the names of the following extinct churches whose records are missing.

EXTINCT CHURCHES.

Abington,	Second Advent,	-
Alford,	M. E.,	1807-1812.
Andover,	Baptist,	1831-1857.
Barnstable,	Hyannis M. E.,	-
	Hyannis Wesleyan,	-
Barre,	Universalist,	About 1851.

¹ The church records from 1714-1846 have been copied.

EXTINCT CHURCHES — Continued.

Berkley, . . .	Second Cong., . . .	—
Perlin, . . .	— — — . . .	Terminated about 1864
Blandford, . . .	Baptist, . . .	—
	Beech Hill M. E., . . .	—
	Presbyterian, . . .	About 1800.
Bolton, . . .	Hillside Cong. (Church Records), . . .	About 1825.
Boston, . . .	High St. Baptist (Charlestown), . . .	1844-1863.
	North Baptist, . . .	1835-1840.
	Tabernacle Baptist (Roxbury), . . .	1873-1877.
	Tremont Baptist, . . .	1845-1866.
	Bethesda Cong. (Charlestown), . . .	1847-1849.
	Chambers St. Cong., . . .	1861-1879.
	Church of the Pilgrims, Cong. (Charlestown), . . .	1844-1852.
	Church of the Unity, Cong. (South Boston), . . .	1857-1860.
	Edwards Cong., . . .	1849-1853.
	Free Ch., Marlborough Chapel, Cong., . . .	1836-1842.
	Garden St. Cong., . . .	1841-1844.
	Green St. Cong., . . .	1823-1844.
	Leyden St. Cong., . . .	1844-1847.
	Mariners' Cong., . . .	1830-1866.
	Messiah Cong., . . .	1844-1846.
	Oak Place Cong., . . .	1860-1864.
	Payson Cong. (South Boston), . . .	1845-1860.
	Salem St. Cong., . . .	1827-1866.
	Salem and Mariners' Cong., . . .	1866-1879.
	Samuel Mather Cong., . . .	1742-1785.
	School St. Cong., . . .	1748-1785.
	North Russell St. M. E., . . .	1837-1873.
	Richmond St. M. E., . . .	1841-1849.
	Ruggles St., . . .	About 1869.
	Indiana St. Unitarian, . . .	1845-1855.
	Thirteenth Cong., . . .	1826-1858.
Bourne, . . .	Pocasset Meth. Prot., . . .	1852-1866.
Braintree, . . .	First Baptist, . . .	—
	Second Baptist, . . .	—
Brimfield, . . .	United Brethren (West Brimfield), . . .	About 1853.
	— (East Brimfield), . . .	—
Brockton, . . .	Baptist, . . .	1850-1855.
Brookfield, . . .	M. E. (East Brookfield), . . .	1865-1878.
Cambridge, . . .	Allen St. Cong., Unit., . . .	—
Charlton, . . .	— (Leland's Village), . . .	—
Chelsea, . . .	Broadway M. E., . . .	—
	St. Andrew's, . . .	—
Dartmouth, . . .	Baptist (South Dartmouth), . . .	—
	Newtown Meeting, Friends, . . .	1745.
East Bridgewater, . . .	Satucket Meth. Prot., . . .	1842-1850.
	Universalist, . . .	—
Egremont, . . .	Cong., . . .	—
Erving, . . .	M. E., . . .	1859-1864.
	Universalist, . . .	About 1836.
Essex, . . .	Christian Society, . . .	1808-1827.
Fall River, . . .	Independent Meeting of Friends, . . .	1845-1865.
	Universalist, . . .	About 1850.
	Bible Union, . . .	—

EXTINCT CHURCHES — Concluded.

Gardner, . . .	Cong., . . .	-
Georgetown, . . .	Free Baptist, . . .	About 1820.
	Union Society, . . .	1843.
	Universalist, . . .	1829-1853.
Gloucester, . . .	Second Universalist, . . .	About 1860.
Groton, . . .	Presbyterian, . . .	1776-1799.
Groveland, . . .	Baptist, . . .	-
Halifax, . . .	Baptist, . . .	-
Hanson, . . .	Universalist, . . .	1825-1850.
Haverhill, . . .	Winter St. Cong., . . .	Terminated about 1860.
Hardwick, . . .	Methodist, . . .	About 1845.
Harwich, . . .	Reformed Methodist, . . .	1820-1845.
	Wesleyan Methodist, . . .	1845-1853.
Heath, . . .	Second Cong., . . .	1842-1846.
	Unitarian, . . .	About 1825.
Hinsdale, . . .	M. E., . . .	-
Holland, . . .	Baptist, . . .	-
	M. E., . . .	-
Hopkinton, . . .	Presbyterian, . . .	About 1734.
Lakeville, . . .	Several Baptist Churches, . . .	-
Lawrence, . . .	Trinity Methodist, . . .	-
Lee, . . .	African M. E., . . .	-
	African M. E. Zion, . . .	-
Leverett, . . .	Unitarian, . . .	About 1848.
Leyden, . . .	Baptist, . . .	-
Lowell, . . .	Central Baptist, . . .	About 1849.
	Third Baptist, . . .	1840-1862.
	Presbyterian, . . .	Prior to 1869.
Marion, . . .	Methodist Protestant, . . .	-
Mendon, . . .	Evangelical Cong., . . .	-
Nantucket, . . .	York St., afterward Pleasant St., Baptist, . . .	-
Natick, . . .	Universalist, . . .	Prior to 1861.
North Adams, . . .	Cong., . . .	1776-1777.
Orange, . . .	Methodist, . . .	About 1825.
Orleans, . . .	Baptist, . . .	-
Otis, . . .	Baptist (West Otis), . . .	-
	M. E. (East Otis), . . .	-
Palmer, . . .	Protestant Episcopal, . . .	1873-1876.
Paxton, . . .	Cong., . . .	1785-1793.
Russell, . . .	Union, . . .	-
Sandwich, . . .	Puritan Protestant Episcopal, . . .	-
Shrewsbury, . . .	Baptist, . . .	-
	Universalist, . . .	Prior to 1845
Spencer, . . .	Universalist, . . .	About 1830.
Stoneham, . . .	Universalist, . . .	-
Tisbury, . . .	South Baptist, . . .	-
Warren, . . .	First Universalist of Western, . . .	About 1820.
Westport, . . .	Cong., . . .	-
West Springfield, . . .	Methodist, . . .	About 1845.
	Protestant Episcopal, . . .	About 1871.
West Stockbridge, . . .	Baptist, . . .	About 1825.
Whately, . . .	Methodist, . . .	-
	Unitarian Cong. Soc., . . .	1866-1877.
Woburn, . . .	Universalist, . . .	-

The records of a large number of extinct churches were reported in 1885 as in private hands. Each city and town clerk has been communicated with in reference to these, and asked to endeavor to obtain them. In several instances at the request of the clerk I have made the application to the person holding the records, and they have been delivered to him. Records of nineteen of the above extinct churches have already been put into the custody of the city and town clerks. The question of when a church becomes extinct is an open one, and some records are retained by persons claiming that the church still exists, although no religious meetings are held, or ever will be. These records are almost sure to be eventually lost, and it is well worth considering whether there should not be some provision by which such churches could be dissolved.

Several churches which were reported as extinct in 1885 because the church edifice was unused, or meetings had been suspended, have resumed meetings, and very properly claimed the right to retain the records. The reporting of these as extinct, however, has resulted in some cases in the looking into the matter of their records, and obtaining some which were likely to have been lost.

Sufficient attention has not been given to the safety of church records. They are generally kept in the house of the clerk or pastor, subject to loss by fire. The records of twenty-four are reported as burned, and many of those reported as lost were undoubtedly burned. I would urge church officers to see that the ancient records especially are placed in fire-proof receptacles, and that such parish records as really constitute the record of the town in its early years are placed in the possession of the town, *provided the town has a proper place in which to preserve them.* I would renew the following recommendation of my predecessor in regard to these records: "Owing to the fact that the records which in reality constituted the record of the town in its earliest period of existence were parish records, they have in many cases remained in the possession of the religious society connected with or growing out of the parish, and the town in such cases has no record in its possession prior to the time of the separation of the parish and town.

All such records now in the possession of parish or society officers, that is, where the parish was merged in the town or the town erected out of the parish, should be copied by the town and the records kept as part of the town records."

COURT RECORDS.

I have visited the offices of the clerks of the courts, except in Dukes County and Nantucket. Some offices are not of sufficient size for the most convenient arrangement of records, and will soon be wholly inadequate for their proper care. Insufficient room is poor economy, as it means unnecessary handling of the records. The later records are in good condition and the older are well preserved, but it would be well if some of the more ancient volumes were copied. The files, also, are in good condition excepting in Bristol County, where a large quantity are decaying in a promiscuous pile in the cellar of the court house, some already having turned to dust. The attention of the county commissioners has been called to this matter.

In Essex County the older files have been arranged, and many papers, some bearing date of 1634, have been arranged in volumes for preservation.

In Hampshire County the removal to the new county building has prevented further injury to some of the volumes which were reported in 1885 as being damaged by excessive heat. The removal has also given the clerk an opportunity to rearrange and put the files in most excellent condition.

In the office in Norfolk County there are ten volumes of plans of highways which were not included among the volumes mentioned in the first report of this Commission in 1885. These are indexed in such detail as to make them of the greatest value and convenience. There were also many volumes of plans of location of railroads which were omitted from that report.

The records of Plymouth County were, for some unaccountable reason, allowed to be neglected in such a way that no records in the supreme judicial court had been ex-

tended for many years or bound since 1843. None in the court of common pleas since 1846 had been bound, and those in the superior court had not been extended of late years or bound since 1859. These are now written up to date, and are being bound as fast as possible. My visit to this office was made just prior to the State election, and the clerk who was filling the office by appointment of the court did not feel warranted or encouraged in undertaking a rearrangement of the office until he knew he should be able to finish it. The court house not being fire proof, the records are kept in a vault which is already fuller than it should be. More room is an absolute necessity for the preservation of the records, which by being crowded into too small a space are subjected to unnecessary wear.

In Suffolk County the work of arranging the ancient files in the supreme judicial court has been continued, and the records and files of the superior court, which were reported in 1885 as being in the cellar of the court house, have been taken out and are being classified under the supervision of the clerk of the supreme judicial court. The accommodations to be furnished in the new court house are greatly needed for the rapidly accumulating records and files of these courts.

RECORDS OF NOTARIES PUBLIC.

Notaries public were authorized by the constitution. As early as 1799 it was ordered that on the death, resignation, or removal from office of a notary public, his records and official papers should be deposited with the court of common pleas. Upon the establishment of the superior court in 1859, that court became the custodian of these records. That they have been regarded as important records, is evident from the severe penalty imposed upon one who neglects to deposit, or who destroys, defaces, or conceals them. A notary neglecting to deposit his records after his resignation or removal is liable to a fine not exceeding five hundred dollars, and an executor or administrator of a deceased notary who neglects for three months after his acceptance so to deposit them shall forfeit a sum not exceeding five hundred dollars. Whoever knowingly destroys, defaces, or conceals the records shall forfeit a sum not exceeding one

thousand dollars, and be liable in damages to any party injured thereby.

These provisions of law were, and probably are, unknown to the majority of executors and administrators who should have deposited the records of deceased notaries. Certain it is that the law has been almost a dead letter, and the number of volumes of these records in the offices of the clerks of the courts is insignificant. I shall attempt by such methods as seem practicable to obtain all these records which are in existence, and I trust that any executors or administrators of deceased notaries, who are hereby informed for the first time of their duties, will deposit any such records with the clerks authorized to receive them. That they may be of value is shown elsewhere in this report, by the use made of some of the early ones deposited in Essex County, in connection with the French spoliation claims.

PROBATE RECORDS.

I visited, also, the registries of probate in all the counties but Dukes County and Nantucket, and found the records and papers in good condition.

In Essex County the building of the new court house has given sufficient room for the rearrangement and classification of the files, which the register is making in a most excellent manner.

The new county building in Hampshire County furnishes spacious fire-proof quarters for the registry, and under the appropriation made in chapter 262 of the Acts of 1889 the register is arranging and indexing the older files and papers.

The new building for the registry in Middlesex County comes none too soon, if soon enough, as the present office is sure to be full by the time of its completion.

The office in Plymouth County is insufficient for the present business of the court, and the increasing business will necessitate some radical change at no distant day. The building is not fire-proof, and all records and files must be kept in a vault which is so full as to necessitate the piling of files upon the floor. Unnecessary handling is the result, leading to disarrangement and needless wear and labor. The indexes of the early volumes commencing in 1686 are

defective, and I would recommend that an appropriation be made for a general index to the volumes, as was done for Hampshire County by the Act of 1889, before referred to.

The danger of pilfering from the files in the registries of probate has been called to my attention, and I have consulted the several registers in regard to the subject. While generally admitting that there is a certain insecurity as long as the public has the right to see the original papers, the number and character of the persons consulting them is so varied in the different offices that each office can best make its own plan for their safety. A rule in one of the registries requires that the papers shall be procured by application to the desk, and before being returned to the shelves shall be compared by a clerk with the docket entries. This involves in the larger offices considerable labor, but seems to be the only plan that insures absolute safety.

RECORDS IN REGISTRIES OF DEEDS.

The registries of deeds in shire towns, excepting Edgartown and Nantucket, I have visited, and I find nothing to criticise and little to suggest in regard to the records, beyond the recommendation made later in this report in regard to the county buildings, under the heading of "Fires and Safes." While these most important of records are probably safe, the experience in Barnstable in 1827 shows that they should be made absolutely so.

Classified indexes should be the rule rather than the exception in the registries, as the saving in the wear of the volumes by needless handling would be far greater than the cost of the indexes. The advantages to the public by such indexes are too apparent to need specifying, even were it within my province to consider the subject of the form of records as apart from the "custody and condition."

More room is needed, or soon will be, in Plymouth, Middlesex, (south district), and Worcester counties. In Suffolk County an unaccountable decaying of the leather on the backs of the volumes is taking place, the Russia leather seeming to be the first to be affected. This, coupled with the immense amount of handling to which these volumes are subjected, has made it necessary to put new backs upon

many of them; and thirteen hundred have already been repaired, most of the work having been done at night, in the registry, as they were in constant use by day.

But few copies of the records of proprietors of common lands have been found in the registries, except in Plymouth County, where the register has kept the subject in mind, and obtained authority of the county commissioners to have them copied whenever he could procure them. As these copies, when made, are by law to be deposited with the registers of deeds, they seem to be the proper persons to supervise the copying; and, the attention of the county commissioners having been called to the matter, it is hoped that they will authorize the copying by the registers of all that can be found.

COUNTY TREASURERS RECORDS.

The present records of the county treasurers may be more properly called accounts, and as they for the past ten years have been seen and examined by the commissioners of savings banks or the comptroller of county accounts, it is assumed that these later records are still preserved in good condition. The records of the treasurers were among the earliest kept in ancient years, and contained miscellaneous records which make them historically very important, and I shall later make investigation in regard to them.

VALUE OF RECORDS.

What is the value of these old records and papers, is a question often asked. To many, especially to those engaged in historical and genealogical work, it may seem too foolish a question to be answered; but, as it is sometimes asked by persons who in their official capacity are called upon to expend public money for the preservation of the records, and who are considering the equivalent to be derived from such expenditure, it seems proper to answer it. It should be a sufficient answer to say that they are valuable because the State has recognized their value ever since, in 1639, "Mr. Stephen Winthrop was chosen to record things in Boston," and since which time legislation looking to the more accurate keeping of records, and the greater care for their preservation, has been continually enacted, until at

the present time thousands of dollars are annually spent for making records. Even since the Public Statutes were published in 1882 no less than fifteen acts relating to records have been passed.

But to what practical use, aside from historical or genealogical, are these old records and papers, especially the latter, ever put, is what the inquirer really intends to ask, and that can perhaps best be answered by the illustrations which follow. The necessity of probate records in tracing the descent of property is too well known to be dwelt upon; but in such cases papers of seeming worthlessness, such as old writs or executions, have been needed to establish the identity and to complete the evidence where the probate records were deficient. The necessity of recording deeds is universally conceded; but the popular fallacy that possession for a certain time always gives absolute ownership to real estate, leads many to under-estimate the value of the ancient records of deeds, or the records of the proprietors of lands which have descended by inheritance and not by deed. The records of births, marriages, and deaths are constantly referred to in connection with the records of the probate court, and of the registry of deeds, and the more ancient the records often the more valuable. The court records in the earlier years, when the clerk of the court was a general recording officer, are of the greatest value. As was stated in the first report of this Commission, the files of the various courts held in the county of Suffolk, covering the period from 1629 to 1799, have been arranged and put in form for reference. By the existence of these many important facts have been established. Disputed town boundaries have been settled by papers describing the original course of a stream which has changed its course. The title to one tract of land changed twice in twenty years by reason of the changes, caused by freshets, in the course of a river. The beach and coast lines, especially in towns now in Maine, have been largely determined, and the location and use of wharves and landing places have also been established, by reference to these files. The establishment of a line between Massachusetts and an adjoining State has sometimes been determined by the record as to where the

occupant of certain land had formerly paid taxes. In a celebrated law case in one of the adjoining States much depended upon the proof of the illegitimacy of a child, and among these old files of the Suffolk County courts papers were found which furnished the evidence upon which the case was finally decided; and in this case the completeness of the files was absolutely necessary for a just decision, as the papers finally discovered contradicted evidence which it was supposed was well established by papers found in a former search.

As has been stated, the records of deceased notaries public should be in the possession of the clerks of the courts, but as a rule have not been deposited there. Without giving the matter much consideration, the clerks of the courts have thought, judging from the infrequent use made from such records as were deposited, that it was almost a useless provision of law; but it has been found necessary to consult these records frequently of late years in the courts in Essex County, for evidence to be used in connection with the French spoliation claims. The collector of the port at Salem has been instructed to forward to the treasury department at Washington any and all papers in any way relating to vessels, voyages, cargoes, and protests of masters, of date prior to 1801, to be used in this same matter of claims. The Commissioner on the Province Laws has, in his researches, discovered copies of acts making conclusive certain points which had been under controversy, and had been settled by the courts upon the best evidence procurable in the absence of the papers.

In a celebrated case (*Cox and others vs. Edwards*, 14 Mass. 492) tried in Worcester County in 1782, which involved the title to large tracts of land already settled in the vicinity of Mendon, Uxbridge, and Northbridge, the original deed was objected to. This deed was executed in London, on the 28th of June, 1701, but was not acknowledged. Action was commenced in 1773, and at the trial in the September term, 1780, objection was taken to the deed because the grantor had not acknowledged it. The deed, which had been carefully preserved, was put in evidence, and it appeared by a memorandum on it that in 1726, before the

mayor of Philadelphia, one of the witnesses swore to its execution in London by the grantor, and it being pronounced valid the settlers were left in quiet possession. It is still to be seen, beautifully written on parchment, in the files of the court in Worcester.

RECORDING OFFICERS.

Visits to the county offices convince me that no better provision can be made for putting the records "in the custody and condition contemplated by the various laws" than retaining in office, as long as their strength and faculties will permit, all competent recording officers who appreciate the value of their work. Aside from the knowledge of the contents of the records which such an officer acquires by long service, and which is almost invaluable to the public when consulting the ancient records, he has learned, by years of familiarity with the subject, what records should exist, and their value, and is ever on the alert to secure and preserve them. Knowing the deficiencies of the ancient records, he is studying to make them more intelligible and easier to consult by making copies, new indexes, cross references, and by any methods which seem advisable. A long step in the direction of the improvement of the records will have been made when these offices are taken out of politics, and the officers know that they will probably remain to carry to completion any improvements they think best to make.

This applies with more force to the city and town clerks than to county officers, for the reason that county records are always kept in the county offices, and are not liable to be misplaced or lost, notwithstanding a change in the officer. It is to be regretted that many city and town clerks have been chosen who were in no way qualified for the office, and such as are now in office should not be continued, but when a suitable clerk is found his term should be as long as possible. In some places a change in politics brings a change of clerks, and in some towns clerks are frequently changed because the different villages claim that as a matter of convenience a clerk for a part of the time should reside in their vicinity. With the change of the clerk often comes a re-

moval of the records, and the current ones are looked after, while the older, and consequently more valuable, are overlooked and eventually disappear. A clerk feels little interest in undertaking any extended piece of work, like indexing, for instance, when the chances are that he will go out of office with the work partly finished, perhaps never to be continued by his successor.

The towns making the fewest changes in the office of the clerk have the most complete collection of their records, unless fire has destroyed them. Some clerks have held office for thirty years, and in some towns the office has remained in the family for several generations. In such cases the present clerk is more than likely to be a man of historical and genealogical tastes, who has gathered all records obtainable relating to his town, and carefully preserved what he has gathered.

USE OF THE TYPE-WRITER.

I have been asked if copies of records made with the type-writer would meet the requirements of the law. There being no law to the contrary, I so stated, but asked that no action be taken until I could make investigation in regard to the durability of impressions made by the type-writer ribbon. Upon commencing inquiry, I found that several recording officers were making *original* records with the type-writer, and others would be glad to if they felt safe in so doing. As a plainer record, much more quickly made, and taking much less space, was the result, I deemed it important to make as careful an investigation as possible before advising or condemning so radical a departure from the custom of ages.

The matter had been considered of so much importance in the United States treasury department in 1885, that the question of the permanency of type-writer writing was submitted to the examiner of the chemical division of the United States patent office, who made the following report, from which I have deemed it obviously proper, however, to omit the name of the manufacturer:—

DEPARTMENT OF THE INTERIOR,
UNITED STATES PATENT OFFICE,
WASHINGTON, D. C., September 15, 1885.

To the Honorable Commissioner of Patents.

SIR:—In reply to the queries contained in the letter of the Acting Secretary of the U. S. Treasury, of date August 22, 1885, which I return herewith, and which reads as follows:—

“1st. Are the impressions made by the type-writer permanent?”

“2d. Are copies made on the type-writer by the use of carbon paper permanent in their nature?”

I have the honor to state, in reply to query 1, that I have personally interviewed ———, who furnishes to the several type-writer agencies of this city the ribbons used by the U. S. Departments, and from whom, in addition to my own experience and experiments made on the action of the various copying inks and ribbons, I have obtained the following information.

There are ten different ribbons used, five being copying ribbons and five record ribbons.

The word “permanent,” which appears in the inquiries presented, should be understood as referring to the power of resisting obliteration by the action of light, of washing, of treatment with acids and alkalies, as ordinarily practised by those operating to remove the ink. The color of the ink may be changed by such treatment (as from blue to black, black to green, and other similar changes of shade), but whether change of color be produced or not, the ink is not effaced; it is legible, the letters not obliterated; and, therefore, such ink may be said to be permanent.

This is eminently true of the black record ribbons.

Another ink is furnished, called the black indelible copying ink, which has also the above-mentioned properties of permanence.

The ribbons of other colors than the foregoing are admitted by ———, and found to be fugitive; red and purple particularly so. They, for this reason, should not be used for recording permanent records. These inks can not be styled permanent.

It may be stated here that the same ink has different results as it is applied on paper by the ordinary writing pen and as applied to similar paper by the type-writer; in the latter instance, from its soaking more deeply by the impact of the machine and being forced below the surface of the paper, is more difficult to be removed or reached by chemical agents applied; therefore, an advantage accrues in the use of the type-writer over the pen.

The 2d query, videlicet: “Are copies made on the type-writer by the use of carbon paper permanent in their nature,” may be answered as follows:—

If these carbon paper copies do not require to be frequently referred to, they may be said to be permanent in their nature.

Owing to the light pressure upon the paper, the ink is not deeply imbedded, and may be removed easily by friction; this appears to be an objection to the use of carbon paper.

In all cases where permanence is desired, the paper should be as thin as may be consistent with its cohesive strength, and bearing as little thickening material or size as possible.

I am, sir, very respectfully,

THOMAS ANTISELL,

Examiner of the Chemical Division.

The comparatively recent invention of the type-writer prevents any evidence as to the test which age can give these impressions; but I have seen impressions made in 1869 with similar ribbons with cancelling-stamps, which, having hung in a bright light for seventeen years, show no sign of fading. This is equivalent to a test of very much longer time where an impression is seldom exposed to the light. The manufacturer of these ribbons, who is not the manufacturer of the ribbons most in use, assures me that his indelible ribbons now used on the type-writer are equally indelible with those used to cancel revenue stamps during the war, twenty-eight years ago. The longest experience in making records with the type-writer of which I could learn was that of Mr. Melville E. Smilie, county clerk of Washington County, Vermont, parts of whose letter I quote: "For about fourteen years I have used a writing machine in making records. Before using the machine for that purpose I investigated the matter of ribbons, and finally settled upon the one with which this is written, which I have used ever since. . . . I have in my office writing done with this ribbon more than thirteen years ago, which is just as bright to-day as when written; writing both on books and on labels, — the latter having all that time been exposed to the action of the air and light. I know of no other ribbon (unless I should make it myself) that I would trust. . . . As to the matter of color, these ribbons are made in both blue and black; I have always used the blue because I liked its appearance a little better. I do not believe there is any other

color than blue or black that can be relied upon for permanency. Before using this ribbon on my records, I tested it with some others by placing some of the writing out of doors on the ground tacked to a board with the face up so that it was exposed to sun and rain; the work of this ribbon stood that test for nearly three months without much fading, while the other samples long before that had become entirely obliterated. I have seen so many so-called indelible ribbons that were not indelible, that I am sceptical about all of them. I have great confidence in this ribbon; if I had not, I would not use it on my records."

I also present the testimony of Mr. Robert O. Morris, clerk of the courts in Hampden County, which is as follows: "Referring to your letter of the 30th inst., relating to records made by the type-writer: The experiment I tried was with . . . It was simply to leave a printed page out of doors, exposed to the sun and rain, for several weeks, with the result, after keeping for a year or more, of finding no evidence of fading, or any deterioration. . . . Of course the same care should be exercised in the choice of ribbons as ink. That recording officers do not more generally use the type-writing machine, is a mystery to me; records can be extended with more than double the rapidity, and with effect as far superior to that produced by pen and ink, as modern paper is to the birch bark of the ancients."

The ribbons tested by these two gentlemen were of different manufacture. Mr. Henry W. Taft, clerk of the courts in Berkshire County, whose well-known historical tastes and knowledge, and appreciation of the value of records, would lead him to take a conservative course, reports that he made as thorough an investigation as possible before using the type-writer, which has been in use in his office for about six years. He believes the record to be indelible, and claims for it greater plainness, a saving of two-thirds in time in making, a saving of about one-fifth in number of pages, and, by the use of a slightly lighter paper than the usual record paper, a saving in bulk in volumes.

Mr. Theodore C. Hurd, clerk of the courts in Middlesex County, has had the type-writer in use for six years, and com-

menced its use only after thorough investigation. Mr. Joseph H. Tyler, register of probate in Middlesex County, has made type-writer records for two years and a half. He satisfied himself thoroughly of the durability of the record before making the change, and approves of it for the reasons given by Mr. Taft. On the other hand, Mr. John Noble, clerk of the supreme judicial court of Suffolk County, had an investigation made, and upon the evidence submitted decided not to make records with a type writer, though having it in use in the office.

Doubting the statement of the examiner of the chemical division of the patent office, that ink soaked more deeply into the paper "by the impact of the machine" than if applied by the ordinary writing pen, I subjected to the action of a jet of steam a sheet of heavy linen record paper, having written, printed, and type-writer impressions upon it. The liquid ink ran immediately, but the other impressions were not injured until the fibre of the paper separated. It then showed that the liquid ink had sunk below the fibre which was removed, whereas the other impressions came off with the upper surface of the paper. The type-writer impression, however, was as lasting as the printed one, and as a printed is considered more lasting than a written record, I think the type-writer impression can be considered permanent.

Acids, which will in time destroy the paper, if they do not also prevent the ink from being indelible, are used in many inks because they render soluble coloring matter which would otherwise have to be ground at increased expense; but so far as I can learn, these acids are more likely to be employed in the liquid inks than in the ink used for the type-writer ribbons.

All aniline colors fade, but as they are cheaper than mineral colors they are largely used in liquid inks, and in ribbons of various colors used on the type-writer. The greatest care should be taken not to use such inks or ribbons.

The opponents of the type-writer claim that an impression can be purposely removed, and the paper written upon in the same spot without the change being detected. Its

advocates claim that a minute inspection will detect changes, while a casual glance will not, thus making it a help to a handsome record; and that the impossibility of using the type-writer after a record is bound, and the lack of opportunity to obtain the record before, would prevent an unauthorized person from making changes.

This subject has occupied the minds of the recording officers and the judges, but no rule has been established, as doubt exists; but I think, in view of all the evidence, that it may be safely said that, *if care is taken to procure indelible ribbons*, which I am satisfied are made, a record made with a type-writer is more likely to be permanent than a record made with *many* of the liquid inks in common use.

In this connection it may be well to speak of the general subject of paper and ink. The amount of poor paper unwittingly used is said to be very great, and the subject of record paper provided for by statute will receive my attention during the coming year. Few recording officers agree as to the best ink; and, while it will be a delicate matter to manage, I hope to obtain information in regard to the various inks and writing fluids in use which will enable me to advise what not to use.

FIRES AND SAFES.

All of the records which have been destroyed by fire will never be known, but enough are known to have been burned to emphasize the need of the providing of safes which shall be fire-proof. In 1885 twenty-five towns reported all of their records prior to a certain time as burned. Records of twenty-seven of the churches were reported burned, and all the county records but those of the probate court, with the exception of one volume in the registry of deeds, were burned in Barnstable in 1827. Many of the volumes reported lost or unaccounted for were undoubtedly burned.

Fires have occurred that burned records which in a degree might have supplied the places of others already burned. In Yarmouth the town records prior to 1677 were burned in the clerk's house; the records of the first church for part of the same period were burned, and by the burning of the rec-

ords of marriages in the county court house in Barnstable the public records of marriages for this period are probably all destroyed.

So far as I have been able to ascertain, the records of four of the towns were burned in dwellings ; of three, in business blocks ; of four, in stores ; of one, in a factory ; of one, in a printing office ; and of seven, by the burning of the town hall. The information in regard to the other towns is not at hand. In one of the town halls the contents of the safe were intact, one volume which was accidentally left out being the only one burned.

Two churches have twice lost their records by fire. Of the church records burned, those of eight were burned in dwellings ; of three, in stores ; of one, in a mill ; of one, in a machine shop ; and those of one were intentionally burned by the insane wife of the pastor. Of the others no information has been obtained.

Records of many of the towns and churches are to-day in the same kind of insecure places, and if in safes, those are old and unimproved, undoubtedly sufficiently fire-proof to have withstood any fires to which they were likely to have been subjected when first used, but useless to withstand the great heat or weight to which they would be subjected in their present quarters. This matter should receive the closest attention. The fire-proof qualities of some county buildings, or more strictly, perhaps, of the rooms in some of the buildings, are questionable. Wooden inner doors, close to iron outer doors, have been proved to be a means of communicating fire to a closed room, and if these are not removed it would be well to cover them with tin. It seems rather anomalous to construct a fire-proof room, and fill it with wooden cases and shelves ; but that has been the custom. It is not to be expected that the present arrangement in the county buildings will be materially changed ; but the attention of officials having the fitting of new buildings, or the furnishing of additional accommodations in old, is called to the subject of metal shelving, which is being extensively introduced in public buildings throughout the country.

Wherever the town records are kept in one repository, a vault is far preferable to a safe as being more commodious,

and if properly built surer to be fire-proof.¹ The expense also of a vault which would furnish sufficient room for many years is less than of a safe which would be outgrown in a few years. *Great care should be taken, however, in constructing vaults, that they are not damp. Some towns have found it impossible to use vaults already constructed, owing to their dampness, records having become much injured before the fact was discovered.*

The slight dampness arising from new material can be quickly absorbed by placing lime in the vault, and removing it as fast as it becomes slacked. The consideration of the matter of vaults is especially urged upon town officers. As no State supervision over the church records is provided, I can only urge upon church officers that they consider carefully the safety of their records, and see that they are kept as safely as circumstances will permit, — always in fire-proof receptacles when possible.

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STEALING OR MUTILATING RECORDS.

The penalty for mutilating records seems wholly inadequate to the offence. The statute provides that "every person who takes and carries away any book of record, paper, or written document belonging to the records or files of any county, city, or town, except as provided in section 12, or who defaces, alters, or mutilates, by mark, erasure, cutting, or otherwise, any such record, paper, or written document, shall forfeit a sum not exceeding fifty dollars." Section 21 of chapter 203 further provides that "whoever

¹ This statement was ready for the printer at the time of the great fire in Boston on the 28th of November, 1889, but the rapidity with which the so-called fire-proof buildings were destroyed made me hesitate to issue it. A personal inspection, however, of some vaults which were in the hottest of the fire, and some in the great fire in Lynn, confirms the statement, but also emphasizes the other statement that a vault must be properly built. Those built of soft or light-hard brick laid in mortar, crumbled and left the iron case, or the contents when there was no iron case, exposed to the flames, while those built of hard-brick laid in cement, with outer and inner doors of proper thickness, withstood the fire. The supporting walls, even if of proper material, must be commensurate with the distance of the vault from the ground, otherwise the toppling of the walls will destroy it.

The flaking of the iron on the inner doors of most of the vaults prompts the idea that the wood cased in tin, so strongly advocated for doors and shutters by Mr. Edward Atkinson, might be an improvement upon the iron inner doors now in general use.

steals or for any fraudulent purpose destroys or conceals a will, codicil, or other testamentary instrument, shall be punished by imprisonment in the state prison not exceeding five years, or in the house of correction not exceeding two years." This does not cover the offence of mutilating such instruments by the cutting out of autographs, or otherwise.

The difficulty of preventing the stealing from files, or of mutilating volumes of records, must be apparent, and a penalty which should stand as a menace should be provided. The penalties for stealing, injuring, or using anything which from its nature or situation is unprotected, should be, and generally are, severe. An apt illustration of this is furnished by the punishment provided for a person who takes or uses the boat of another, without intent to steal, upon whom a fine not exceeding three hundred dollars or imprisonment in the house of correction is imposed. Stealing from the records was considered a serious offence in olden times. In 1639, whoever committed the offence was liable to forfeit to a person injured thereby treble the damage, be fined as much to the country, or be imprisoned for two months, or "stand in the pillory two hours in Boston market, with a paper over his head written in capital letters, A DEFAMER OF RECORDS." The penalty now, however, is so light as almost to invite the offence.

Although it is not entirely within my province, I may be pardoned for saying that, in examining into this matter, while I find the light penalty mentioned provided for offences against county, city, or town records, I have been unable to find any penalty against stealing from or injuring the archives of the Commonwealth, except as section 20 of chapter 203 may apply to the stealing only; and under this section the difficulty in fixing a value might prevent an adequate sentence. It would seem well for the Legislature to consider the matter of fixing more severe penalties to cover the stealing or injuring of any public records, especially with the evidence before it contained in the report made by the Commission appointed under chapter 60 of the Resolves of 1884, wherein eighty-five known cases of abstracting from the records are reported.

INDEXING.

The subject of indexing has not received proper attention. Searching without an index for an entry in old records is more discouraging than searching without a directory for a person in a large city; for sufficient inquiry in the proper channels will discover the person, while no one living may be cognizant of the entry sought for in the records. Incomplete indexes are in a certain way worse than none, as they pretend to what is not accomplished, which gives the searcher false confidence. Indexes in the old records are very incomplete, especially in the cases where, as was often the custom, a volume was reversed and a new record commenced in the end of the book. The indexes in such cases usually applied to the pages beginning at the front of the volume, and only by chance would a person refer to the end, if any considerable portion of the intervening pages were blank, although in one old volume a careful recording officer had referred to the end by the memorandum, "Book tother way." Items were often indexed by a proper name found in the entry, when that name was wholly unimportant, and gave no clue to the subject matter recorded. This fault appears even in indexes to the Massachusetts laws in comparatively recent years. For example, an act passed March 3, 1829, whereby a part of Fitchburg was annexed to Ashby, is indexed only under the name of Samuel Gibson, the estate set off being his.

The distinction between an alphabetical index where the alphabetical arrangement is carried through the word indexed, and an initial index where the first letter only is considered, has not been recognized, and initial indexes have been reported as strictly alphabetical. The statute sometimes requires that an alphabetical index be made, but more often simply an index. I would advise that in indexing all current records the alphabetical arrangement be followed, if possible, and whenever old records are copied that they be alphabetically indexed. The various kinds of patent indexes make simple and easy such indexing. Classified indexes should be made in the registries of deeds, if for no other reason than as a matter of economy, the absence of them making needless handling of the volumes necessary.

COPYING.

Many of the matters pertaining to the records are left to the judgment of the officials. The provision for copying records which are becoming worn, mutilated, or illegible, is mandatory, however, but none has been less complied with. The condition of the records, as reported in 1885, was judged by various standards; but it is evident that many records reported as in good condition should have been reported good considering their age and neglect. In some cases certain volumes were excepted from those reported in good condition, and some others which I have inspected have for years been dropping to pieces and wearing out. The attention of the selectmen and city governments having been called to the matter by circular, some have commenced copying and others will do so as soon as appropriations are made.

In some cases where copies have been made originals and copies are kept together. These should be separated, so that in case of the burning of one the other may be safe.

The peculiar handwriting, abbreviations, and characters in the ancient records make correct reading of them almost impossible in many instances, except by experts, and in copying the records care should be taken that persons familiar with these ancient records are employed. The peculiar spelling of proper names has led some copyists not familiar with them to make copies which, owing to the numerous errors, are almost worthless; and for this reason, if local copyists who are somewhat familiar with the genealogy of the town can be procured, they are to be desired.

BINDING.

Many volumes which are perfectly legible are being destroyed in handling for lack of proper binding. Section 2 of chapter 37 provides that "county commissioners, city governments, and selectmen of their respective counties, cities, and towns, shall have all books of public record or registry belonging thereto substantially bound." While it may be a question whether this requires the rebinding of

such volumes as need it, the county commissioners evidently construe it so, and provide for rebinding of such, and city governments and selectmen will be requested to do so.

Much of the binding has been poorly done, and some copies even need rebinding. Canvas for binding is growing in favor, and in view of the rapid deterioration of the leather in some offices, notably in the registry of deeds in Suffolk County, I think its use is to be commended.

Care should be taken that the correct years are printed on the backs of the volumes copied or rebound. Frequent neglect to record chronologically in ancient records often resulted in the record on the first page of the volume being of later date than the first entry in the volume, or that on the last page being of earlier date than the last entry made; and the binder has in some such cases put upon the back of the volume the dates found on the first and last pages. This error occasioned some incorrect returns in the statement of "years covered" by records, as published in the first report of this Commission, the years having been given which were found on the outside of the volume.

I would especially urge that whenever volumes are rebound they should be interleaved with leaves slightly wider than the original pages. This prevents the breaking of the paper, which in many of the old records is very brittle, and the constant wearing away of the edges, as the wear comes upon the wide interleaf rather than upon the original leaf. I have in mind one volume of records of births, marriages, and deaths, where upon each right-hand page the year is on the outer edge and the outer figure has been worn off, leaving in many cases the decade as the nearest date ascertainable. In its present condition it is a question of time only when the decade will disappear.

The roller shelves in use in many places will do much to prevent the wear of the binding where volumes are frequently removed from the shelves. A few are in use with good results in the registry of deeds at Plymouth, and I am glad to know that their adoption is being considered by some of the county commissioners for buildings about to be fitted. I would recommend their inspection by the county officials generally.

PRINTING.

The report of the committee of the council of the New England Historic Genealogical Society, which was appended to the first report of this Commission (pp. xlii-li), so fully covers the subject of the desirability and necessity of printing the records of the towns that attention is again called to it, and I will not supplement it further than to say that the recent great fires in Lynn and Boston furnish fresh evidence to the truth of the statement that "it is almost criminal negligence to allow any book of record to exist only in a single copy."

An interest was aroused in this matter of printing town records by a proclamation of President Grant, dated May 25, 1876, in which he urged the people of the several counties or towns, on the approaching centennial anniversary of our national independence, to cause to have delivered on that day an historical sketch of their respective counties or towns from their formation, and that copies of said sketches be filed in print or manuscript in the clerk's office of the county or town. Several of the towns in this State followed the suggestion. Some have already printed parts of their records, and I have had several inquiries from officials of towns where the printing has been already authorized, or is under consideration, as to the probable cost, and best methods to pursue. The most complete information I have been able to obtain in order to answer the inquiries was from Mr. Don Gleason Hill, town clerk of Dedham, and president of the Dedham Historical Society, under whose direction two printed volumes of the records of that town have been published; and I present his two reports made to the town, which not only give the cost of that work in detail, but contain suggestions which may well be followed in other towns.

At the April town meeting an appropriation of \$500 was made for printing the early records under the direction of the town clerk. The portions selected for the first printed volume were the first two books of births, marriages, and deaths, 1635 to 1845. During the year 1885 the transcript of these books for the printer was made. At the April town meeting, 1886, an additional

appropriation of \$350 was made, making a total of \$850 appropriated. A book of nearly 300 pages, with classified index, has been printed, and the total cost of an edition of 1,000 copies is as follows: For making copy for printer, making index and reading proof with original record, and editing same, \$275; for printing, including paper and folding, and also circular to send to non-residents announcing the publication, \$689; and for binding five hundred copies in cloth, \$80; total, \$1,036. The price fixed per copy to residents is less than cost, — 75 cents; and to non-residents \$2.10, or, if sent by mail post-paid, \$2.25. The book-trade furnished at \$1.75. The book was ready a little past the middle of January, and since that time about two hundred copies have already been sold, and from the receipts and balance of the cost above the amount appropriated has been paid, and there remains in my hands about \$60. The work has been well received, and a number of very complimentary notices have appeared in the city newspapers.

The books have been sent to California, Kansas, and Wisconsin, and other remote parts of the country, and numerous letters have been received attesting the great interest taken in the work abroad. Although the first settlers seemed to have taken considerable pains with these records, yet names were in many instances omitted which should have appeared, though probably but few towns have as complete records as Dedham. Most of the omissions occur from the beginning of the Revolution to the year 1843, when the Legislature passed more stringent registration laws. Since that date, 1843, careful and more nearly complete records have been made, and copies thereof annually returned to the Secretary of the Commonwealth. But fortunately many of the omissions in the early records can be supplied from the official records in the different parishes, but it is cause for much regret that the church records in the Third Parish were wholly destroyed by fire a few years ago. The town should have the benefit of these records, and should take steps to obtain the public information they contain before any more are destroyed. It seems to me the next volume of printed records should be supplementary to the one already printed.

I would, therefore, respectfully recommend that the town clerk be permitted to use the money received from the sale of the volume of Town Records just printed, to prepare a second volume, to consist of such records in the various parishes of the town as may be of public interest, or may supplement the volume just printed.

I would also recommend that one hundred copies of the volume

just printed be divided between the Public Library and Historical Association Society, to be used by them as exchanges, for the benefit of their respective libraries. This is the practice in other towns, and I heartily recommend it here.

At the town meeting in April, 1887, I submitted a report upon the work of printing the early records of births, marriages, and deaths, and the cost (\$1,036) of the book printed, showing that the deficiency in the cost above the appropriation (\$850) was paid from the proceeds of sales, in my hands, of about \$60. Since that report was made about seventy-five more books have been sold, netting about \$75, making \$135. Upon my recommendation in that report, the town voted that the town clerk be permitted to use the money received from the sale of this first volume to prepare a second, to consist of such records in the various parishes of the town as may be of public interest, or may supplement the first volume. I think the amount received for the sale of the first volume will be sufficient to prepare the manuscript (exclusive of index) of the second for the printer. It will contain much valuable matter supplementary to the first book, and put in permanent form records and information which are liable to destruction (the records of one parish having already been destroyed), and will fill up many blanks which now appear in the town records. The result of the recent researches made in England, for the Dedham Historical Society, at considerable expense, is placed at my disposal for this volume. It contains much that is of interest relative to our early settlers, never before printed; and just here let me say that last year the town, by vote, gave to this society fifty copies of the first volume of printed records to use for exchanges for the benefit of its library, and with these copies a large number of very valuable local histories and genealogies have been added to the library. As this is especially an educational institution, which certainly is destined very soon to be of much value to the people of the town, particularly to the advanced scholars in our high school, by inciting an interest in historical studies, through the medium of prizes, etc., which the society will give, I would ask and recommend that, when this society desires copies of the books published by the town, to exchange for histories and genealogies, the proper officials of the town, having the custody thereof, be authorized, in their discretion, to furnish the same to it. In view of the fact that a citizen of the town, an unassuming woman, in leaving so much of her estate by her will to establish a fund for the benefit of the worthy poor, and also so much to the literary institutions of the town, has thus far surpassed all former public benefactors of

the town, it seems proper that there should be some memorial to her memory, and I would therefore respectfully recommend that the second volume of records be dedicated by the town, in fitting language, to the memory of Hannah Shuttleworth, and if possible that it contain her portrait.

I think the sum of seven hundred dollars will be sufficient for this purpose, and I would recommend the town to raise and appropriate that amount to publish the second volume of records, to be disposed of in the same manner as the first, and from the proceeds of these volumes to pay any deficiency in cost, above the appropriations, and to account therefor to the town.

The other towns which have reported upon the cost of printing present about the same cost per volume as in Dedham.

Dedham has commenced the annual printing of the records of her town meetings, beginning with the March meeting in 1887, and of births, marriages, and deaths, beginning with the year 1887. Other towns, I hear, have adopted this most admirable plan, and as the annual expense is comparatively small, and its advantages are great, it is worthy the consideration of all the larger towns. Mr. Hill will gladly furnish to town officers, for their guidance, any information in regard to the detail of the work which he has directed.

RECORDS IN OTHER STATES.

No inquiry has been made in regard to records of towns now in other States which were formerly in Massachusetts, nor in regard to records in other States relating to cases in court arising in this; but I hope during the coming year to gather some information in regard to them. An act passed Dec. 29, 1687, provided that cases arising in Hampshire County supreme court of judicature should thereafter be heard at Hartford, Conn. In the report of the Secretary of State and the State Librarian of Connecticut, made to the General Assembly Jan. 9, 1889, I find the following: "The records of the supreme court of judicature, held at New Haven for the counties of New Haven and Fairfield, and at Hartford for the counties of Hartford and New London, with the county of Hampshire in Massachusetts, are not in any of our record repositories, nor do we know that

they exist. Sessions were to be held in both places twice in each year, and we are informed that the first was held at New Haven April 10, 1688, and at Hartford on the 13th of the same month, and in September following they were likewise held in either place." It will be seen that so much of the records pertaining to Massachusetts has probably disappeared.

GENERAL INTEREST IN RECORDS.

It is gratifying to know that an interest in the subject of the preservation of the public records has been awakened by the first report of this Commission. Local papers in several of the cities and towns have called the attention of the people to it, and to the necessity of preserving their records by printing. Persons are constantly furnishing this office with information in regard to missing records mentioned in it, some of which have already been recovered. Requests for the report are received from historians, professors and students of history in colleges in other States, and from societies; and Massachusetts is congratulated upon being the first to establish such a commission, as she has been first in inaugurating many movements which have been followed by other States, and the hope has been expressed by the writers that their States may be induced to follow in the work.

LEGISLATION.

The legislation which I would recommend may be briefly summarized as follows:—

First, an amendment to section 15 of chapter 37 of the Public Statutes, which will authorize the city or town clerk to demand the records of an extinct church or religious society.

Second, an act requiring ex-collectors or their executors or administrators to deliver to the city or town clerks all records which are in their possession pertaining to the assessment or collection of taxes in their respective cities or towns, and requiring all collectors in office to deliver to such clerks all such records except those in current use, and requiring, also, that the clerks shall demand these records.

44a,

Commonwealth of Massachusetts.

OFFICE OF THE

COMMISSIONER ON PUBLIC RECORDS OF PARISHES, TOWNS, AND COUNTIES.

9 PARK STREET.

Boston, May 28, 1890.

John B. Newcomb, Esq.,

Elgin, N.Y.

Dear Sir:

In reply to yours of the 26th inst., just at hand, I would say that upon figuring the cost of printing the births, marriages, and deaths, from the old court records^{*} it was found too expensive a piece of work to suggest in bulk to the Legislature, but it may be that another year steps may be taken toward doing it in part in some counties. If the work is ever attempted it should be done as completely as possible and all the records filed, to which you refer, should be copied also.

Yours respectfully,

Robert T. Swan
Commissioner.

* See page 45 of this pamphlet.

Third, amendments to sections 1 and 4 of chapter 32 of the Public Statutes, which shall require that the facts to be returned to the city and town clerks, and to be by them recorded, shall include the maiden name of a deceased married woman, and the maiden name of the mother of a deceased child.

Fourth, an act to provide for new indexes in the registry of probate in Plymouth County, similar to chapter 262. of the Acts of 1889, which provides for such in the Hampshire County registry of probate.

Fifth, a more severe penalty for carrying away, defacing, altering, or mutilating the records mentioned in section 16 of chapter 37 of the Public Statutes, and a penalty for similar offences against the records of the State.

I strongly approve of the suggestion before referred to, which I understand is to be laid before the Legislature, that the records of births, marriages, and deaths, from 1642 to 1796, be copied from the court records and printed.

The laws relating to records seem in the main sufficient, the existing condition of affairs being on account of the ignorance or disregard of the law. My policy will be to convince of the necessity of improvement, and to urge it on behalf of the State, and I anticipate such co-operation on the part of the persons having the care of the records, as to make much legislation unnecessary.

ROBERT T. SWAN,
Commissioner.

7-26
1890.

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Wm. Newcomb
THIRD REPORT

E. J. King
Ms.
ON THE

Feb. 21. 1891.

CUSTODY AND CONDITION OF THE
PUBLIC RECORDS

OF

PARISHES, TOWNS, AND COUNTIES.

BY

ROBERT T. SWAN,
COMMISSIONER.

BOSTON:

WRIGHT & POTTER PRINTING CO., STATE PRINTERS,
18 POST OFFICE SQUARE.
1891.

Gift of B. S. ...
1891.

Commonwealth of Massachusetts.

OFFICE OF THE COMMISSIONER ON PUBLIC RECORDS
OF PARISHES, TOWNS, AND COUNTIES,
9 PARK STREET, BOSTON, MASS., January 7, 1891.

To the Honorable Senate and House of Representatives.

I have the honor to present to the Legislature the third report on the custody and condition of the public records of parishes, towns, and counties. In presenting the introductory part of the report I find it necessary to refer somewhat at length to subjects that are treated later under their respective heads. If I have seemed to dwell too much at length upon some subjects, or to advance too much in illustration, it is because I wish to lay before the recording or town officers the advantages to be derived from improvement in their methods or action, and have found the arguments here advanced efficacious with many with whom I have been able to converse.

It is with great satisfaction that I am able to report that in the work of investigation I have been received by the recording officers, not in an antagonistic spirit as a censor, but cordially as an ally in their attempt at improvement, and as a medium through which the defects in the system of keeping records may be brought to the attention of the Legislature. Suggestions upon methods have been asked of me verbally and by letter, and methods in some offices which I had noted as good have been adopted in others.

The scope of my work has been misunderstood, and I have had several requests to inspect the contents of records, and give an opinion as to whether a recording officer is keeping a proper record. This I have not considered a part of my duty; my inquiry has been with a view of ascertaining whether the kinds of records to be kept were in

places, and in the condition, so far as it related to their preservation, required by statute.

Where the statutes have not been complied with, the attention of the proper persons has been called to the delinquency, and their duties stated; and it is a matter of regret that the State had not, years ago, exercised some supervision of the kind over the records, which would have saved many of them from partial or complete destruction. In many places action has been taken toward carrying out the statute provisions, but in a few I learned that no action was likely to be taken, as "nothing could be done about it," and in the remaining no report has reached me. In those where the intention to comply is evident I have done no more than urge that the most important matters receive the first attention; in such as relied upon the security which want of supervision in the past had given I called attention to the penalties prescribed; and in the last-named further investigation will be necessary. I propose to ask the aid of the prosecuting officers in the enforcement of the law in all cases where there is a disposition to disregard the authority of the State.

Much of the inaction on the part of the selectmen is owing to the indefiniteness of the statutes in regard to their powers and duties. In the case of *Clark and Others v. Inhabitants of Russell*, 116 Mass. 455, Judge Colt said: "The powers and duties of selectmen are not distinctly defined by statute. They can only exercise the powers which are incident to the limited authority conferred upon them by their office; they are not general agents, clothed with all the powers of the corporate body for which they act; they are to be regarded rather as special agents, with power to do such acts as are required to meet in the ordinary way the exigencies that may arise in town affairs. The extent of this authority may indeed depend largely upon long-continued uses and customs."

This has led cautious selectmen to hesitate to exercise any authority or take any responsibility which their predecessors had not exercised or taken, and thus year after year has gone by with no improvement in the matter of caring for the records. To such, the fact that the State is requiring

that the records shall have attention is welcome, and from such, improvement may be expected.

Considering the insecurity of many of the records, the State is fortunate that no important ones have been lost by fire during the past year, unless the records of an extinct church in Southborough, elsewhere referred to, prove to have been such. By a fire in Rockland some temporary records and papers, considered unimportant, and not in a safe, were burned; but no important records were destroyed, although some were so badly scorched as to require rebinding.¹

All the records of the town clerk of Wentworth, N. H., were burned in March last, the town having no safe. This is the second New Hampshire town which has lost its records since October, 1889; and the Salem Press Publishing and Printing Company, which is asking, by circular, information in regard to the old records of the towns of New England out of Massachusetts, finds the most common answer to be, "Records destroyed by fire."

Differences of opinion as to the fire-proof qualities of the safes or vaults often exist among the town officers, and in several towns my opinion has been asked, with a view of putting the responsibility upon me. Although I have obtained enough information from safe-makers to be able to unhesitatingly condemn some safes, which I have done, I have refused to assume the position of an expert, and of deciding in cases where there was the least doubt; and, for fear of any misunderstanding upon the matter, and to prevent any statement hereafter that a safe had been approved by a representative of the State, I hereby disclaim any responsibility which belongs to the selectmen.

In the first report of this commission it was stated that there were some towns, not now recognized as such, which, so far as the State record is concerned, have never become extinct, and Winchester was cited as an illustration, in these words: "The plantation of Arlington in the county of Hampshire was made the town of 'Winchester,' but no fur-

¹ As this goes to press, the safe containing the records of the selectmen and assessors, and many old records of former collectors, is in the ruins of a large fire in Athol.

ther record of the name of Winchester in this connection can be found." This last statement has been adversely criticised, it being stated that it was perfectly well known that Winchester was relinquished to New Hampshire by the running of the boundary line in 1741.

The following matters of record substantiate the statement that no further record of the name appears in connection with its extinction, secession, usurpation, or whatever term may be used to signify its departure from Massachusetts: June 16, 1739 (Prov. Laws, Vol. II., p. 990), the plantation of Arlington is established as the township of Winchester. June 18, 1739 (Mass. Rec., Vol. XVII., p. 69), the new plantation or township called "Arlington" is mentioned. June 22, 1739 (Mass. Rec., Vol. XVII., p. 79), the new township called "Winchester" is referred to. Under date of Friday, April 3, 1741, I find the following in the journal of Richard Hazen,¹ who ran the boundary line between Massachusetts and New Hampshire which has been in dispute ever since: "It left most part of the town of Winchester on the north side, if not all." This line is claimed to have taken Winchester out of Massachusetts; but Hazen's journal contains the only record pertaining to the matter, and neither that nor a copy is in possession of Massachusetts. June 20, 1743 (Mass. Rec., Vol. XVII., Part 4, p. 93), the town of Winchester is mentioned. Feb. 1, 1746 (Mass. Rec., Vol. XVII., Part 5, p. 286), the town of Winchester is mentioned in the records for the last time. July 2, 1753 (N. H. Council Rec., Vol. 1., p. 171), the town of Winchester was incorporated. May 29, 1745 (printed Journal of the Massachusetts House of Representatives), Winchester is in the list of towns comprised in Hampshire County, and it has been so given in every journal since 1740. Monday, July 2, 1753, the records of the old town of Winchester bear the heading for the first time, "Province of New Hampshire."

It will be seen, therefore, that, while the line run in 1741 is said to leave "most part of the town on the north side, if not all," the Massachusetts Records mention it as a Massa-

¹ This journal is in the office of the Secretary of State at Concord, New Hampshire.

chusetts town until 1746 ; New Hampshire does not give it a charter until 1753 ; and even then the Massachusetts House of Representatives in its Journal claims it until 1754, after which it disappears from the *printed* records of the State by the simple omission of the name in the list of towns. The true explanation of the matter probably is that the people were at first aggrieved at being put into the jurisdiction of New Hampshire, by the new line, and continued to claim residence in Massachusetts during twelve years of the quarrel over the line ; but, finding themselves more and more neglected by Massachusetts, as the petition to New Hampshire for a new charter recites, they abandoned their allegiance to Massachusetts, and left without any legislation on the part of the State, and consequently with no record of their departure. Whatever the explanation, the fact exists, that, unless some records now unknown appear, there is no record in the State which gives any information with regard to the disappearance of Winchester.

TOWN RECORDS.

At the time of presenting the second report, I had not made investigation of the condition of the records in a sufficient number of towns to draw conclusions. I had inspected the records in but ten towns ; part at requests of persons making complaints, and part at the request of the clerk or selectmen. I did not report specifically upon the condition of affairs in these towns, as it seemed unfair to single them out and subject them to the criticism which I was led to believe many of the towns deserved. I therefore sent a circular, which is quoted on pages 7 and 8 of the second report, to those and all other towns, hoping that it would lead them to take steps toward improvement. I have now visited eighty-six towns and twelve cities, and a detailed report in regard to the custody and condition of their records is appended. I also visited several towns without notification in advance, and was unable to obtain any information in regard to the records. It will be seen that those in which the laws in regard to the records were wholly complied with were so few that it may almost be said that there were none. Many towns had no safes ; many others had

safes which were such only in name; and in many towns where provision had been made which the town officers considered sufficient, they had put their own definition on the word "records;" and, if the record books of town meetings, current books of mortgages of personal property, and the later records of births, marriages, and deaths, were in a safe, they had considered the town well provided. No attention had been paid to tax lists, records of the selectmen's meetings and orders, school district and school committee records, collectors' records, and more especially to the numberless papers which the statutes require shall be "filed and arranged conveniently for examination and reference," and upon the filing of which the legality of many matters of town and individual rights depends. In many towns a clerk going out of office had carelessly or intentionally neglected to transmit to his successor old records and papers not often referred to, which were laid away in some unused closet, attic, or shed.

The reasons for this condition of affairs are many, and for some there are excuses. The old uses and customs have been followed by successive town officers, and no thought has been given to any law in the matter; what a former clerk or board of selectmen did, their successors have continued to do. If a clerk has stated his need for better accommodations for his records and papers, he has been thought notional, exacting, or fussy, and his request has been ignored. The selectmen, having a re-election in view and wishing to make a reputation for economy, have hesitated to incur an expense which the previous board had not considered necessary, and their re-election has been an approval of their course. Meanwhile records and papers have accumulated, and the condition of affairs has grown from bad to worse. If the selectmen, conscious of the bad condition, but wishing the approval of the town before taking action, ask for an appropriation, the town has sometimes refused it, and they have naturally been deterred from acting, so that the blame falls directly upon the town.

The most important step in the direction of the preservation of all town records, after the town clerks are put upon a permanent business-like basis, as advocated later in this

report, would be a provision that every retiring town officer shall deliver all records, papers, and town property in his possession to his successor, under oath. This is the law in New York, re-enacted June 7, 1890, by an act entitled "The Town Law," some other provisions of which might well be adopted in this State. Many records, more especially unbound, have been lost by the failure of the town officer to deliver them to his successor; and there are to-day many which can be obtained lying about uncared for in the houses or offices of ex-officers, or in possession of the families of those deceased. Some have already been recovered at my instigation, and many clerks are ready to search for any of which they can discover trace, if they can be compensated for their time and expenses.

By chapters 65 and 229 of the Acts of 1863, it was made the duty of the clerk of every city and town to make out a full and complete record of the names of all the soldiers and officers who composed his town's quota in the Rebellion. The Adjutant-General was to furnish a book for the purpose, upon application, and it was to be kept in the clerk's office. No attention has been paid to this act in very many towns. I have seen very few books, and many of those were either blank or had an occasional entry evidently made by any person who chose to write what he knew or thought he knew concerning a soldier's record. In one town the Grand Army Post recently took the matter in hand, and the record has been properly made, and I would suggest that the several Posts give their attention to this, and insist that so important a matter of history be correctly recorded.

Feeling exists between the people of old towns and those of towns set off from them in regard to the possession of the old records. It not unfrequently has happened that at the time of division the recording officer and the records were in the part of the town established as the new, and the records have consequently remained in the new. If the new town has become the larger, it feels entitled to the old records. Records considered as belonging in the new town have been loaned to the old, and then kept under the claim of ownership. North Adams, by the act of incorporation, retained the records of Adams, and it may be that other

new towns hold the records by similar acts. Persons visit and write to the old town for information which is in the records in the new, causing the clerk much unnecessary trouble, and being themselves disappointed. This ownership should be settled. It seems appropriate and proper that the records should be in the town whose name they bear; and force is given to this argument from the fact that, if a town is originally established as the north, south, east, or west town, and a connecting link which would lead a person to search in the new town for the old records is retained for a while, the name is soon changed, and that link is dropped. Ten towns have dropped the old name, and the remaining ten named from the points of the compass will undoubtedly become ambitious to have independent names.

The suggestion has been made that, in my inspection of the records in cities and towns, I should prepare lists of the records, and print them in this report. While it may be well later to prepare such lists, it has seemed more important to see that such records as were in proper custody were safely kept, and that missing records be found, if possible, and placed there, before making a list which would now be incomplete.

In the following, which gives the condition of affairs pertaining to the records, the date of the visit of inspection is given. In the towns earliest visited, the examinations were of a general character, particular records and papers not being searched for, and the report upon those is less explicit than upon those since visited. Comparisons cannot, therefore, justly be drawn.

ADAMS (Oct. 9, 1890). A building supposed to be fire-proof, built partly by the county, and used by both town and county. A large safe used for the records of the clerk and selectmen is now full. The valuation lists are not in a safe. About twenty-five volumes of collectors' records, some older than 1878, the time of division, are in the safe. A part of the marriage certificates and burial returns are preserved, the years not being known, except during the present clerk's term, since 1888. Many of the records of Adams are at North Adams, although the general impression is that they were all burned. The clerk is in the office in business hours.

AMESBURY (July 21, 1890). No town hall. The clerk has a room in the Opera House Block, with very meagre accommodations. The selectmen and assessors have offices in the Armory Building. The selectmen have two large safes, but the clerk's safe is old, and of doubtful value. Some of the old records need rebinding. An old book, bearing date 1646, is in fragments, and is kept in a pasteboard box to prevent its being destroyed by handling. An old town building between Merrimac and Amesbury was burnt years ago, and with it probably many old records and books.

AMHERST (July 14, 1890). A new stone town hall is nearly ready for occupancy, with a large vault sufficient for all the records. The records are at present in a vault in the savings bank, all in good condition. The collectors' records for one hundred years are in possession of the clerk.

ATHOL (Oct. 3, 1890).¹ The selectmen have a room in a business block, their records and those of the assessors being kept there in a safe now full. The clerk has in his store an old safe of doubtful value, unless special pains were taken by the fire department to preserve it. His records are in it, with the exception of a few old volumes of mortgages which have been crowded out. Valuation lists almost continuous from 1789 to 1824 are unbound; those from 1830 are bound. Marriage certificates and burial returns are preserved for nine years, and possibly longer. The town endeavored some years ago to call in the collectors' records, and succeeded in getting those for some twenty years. Two volumes of proprietors' records, and the first volume of town proceedings, need binding. More room is needed for the records.

AYER (May 2, 1890). Brick town hall. The town clerk's business office is in the second story of a business block, where he keeps all his records, a record of mortgages being the only one kept in the safe. The assessors' records are at the town hall not in a safe. The selectmen's records are there also, in an old safe. The collectors' records have not been returned to the town. Marriage certificates are now preserved. An appropriation of one thousand dollars has just been made for building a vault.

BARNSTABLE (Oct. 28, 1889). While visiting the county offices, I learned that the clerk's office was at Osterville, about seven miles

¹ See foot-note on page 5.

distant. Was unable to visit it, and keep other appointments. Conversation with the chairman of the selectmen has led to the purchase of an additional large fire-proof safe.

BEDFORD (July 25, 1890). The clerk has a safe at his house in which his records are kept, but more room is needed for files and new records. The selectmen's and assessors' records are not in safes. Marriage certificates and burial returns have been preserved. One old volume needs binding.

BELCHERTOWN (July 14, 1890). There is a safe in the town clerk's office in his store, and a new vault in the public library building. The records are all kept in one or the other. The collectors' records have not been returned to the town. Marriage certificates and burial returns have been preserved since 1887. Three of the oldest volumes of births, marriages, and deaths need arranging and binding.

BEVERLY (Aug. 26, 1890). The town has a vault in the town building, used by the clerk, selectmen, and assessors. The valuation lists from about 1820 are bound; many prior to that time are unbound in bundles in the vault. The collectors' records earlier than 1870 have not been returned to the town. Marriage certificates and burial returns are preserved for many years. Old volumes have been rebound and are in good condition. Tax lists from 1754 to 1819 are bound in seven volumes, and are in the vault. A large new vault has been built, and is being thoroughly dried for occupancy. The clerk is in the office in business hours.

BOLTON (July 28, 1890). There is a good vault in the town hall, containing all the records, including those of the selectmen and assessors. Marriage certificates and burial returns are preserved since 1887; for a few years back of that they are incomplete, and further back still they are complete for many years.

BOSTON (at different times between Nov. 24, and Dec. 9, 1890.) The first and second floors of the city hall are intended to be fire-proof, but are not so considered. The city clerk has a vault on the second floor, in which the Boston city and town records and current papers are kept. The records of the annexed cities and towns, which may be called their town or city records, are in the record room, not in a vault. The files of papers, including the most ancient, are not in fire-proof quarters. Improved metal roller shelving has been introduced into the record room, to the great advantage of the records. A room in the basement, fire-

proof except that it has a long window, contains old records of the clerk's office and of cities and towns annexed, and parish records, election matter, etc. This room contain two tiers of plate-iron boxes or safes. One large fire-proof room in the basement has recently been constructed, in which the ballot-boxes and ballots are kept to the exclusion of records.

The auditor has two rooms on the first floor, used as offices, where the books and papers for a few of the last years are kept, the older ones being at present in a room in the upper story, but which will be removed to a new fire-proof vault now ready for occupancy. There are four iron boxes, called safes, in the office, which contain deeds and papers. The old bills of the districts annexed to Boston are in this office.

The city registrar has a room on the first floor, where all records are kept, not in vaults. A vault recently built in the basement, and now ready for occupancy, will be used for the safe-keeping of all original records, so far as possible, copies being retained in their present quarters.

The assessors have a room on the first floor, where the records for the current and five previous years are kept, not in vaults. They have also two rooms in the basement, used for storage, both so full as to make convenient arrangement impossible, which contain all the assessors' older records, including those of the cities and towns annexed. More room is absolutely necessary. The most ancient lists are in pamphlets, and should be bound for their preservation.

The treasurer has a vault on the first floor, for current records, and another one-half story above, used for older ones. The old records of the annexed cities and towns are here, and, together with the accumulation of other books and papers, have been put in as convenient order for reference as the limited quarters will permit. Many of the old cash books, some of as early date as 1706, and continuing to 1843, are in pamphlet form, and should be bound.

The collector has a room on the first floor, with a vault sufficient for comparatively few records. The overflow of these highly important records, caused by the yearly accumulation, is placed in cases in this room and in a room in the basement, not in vaults. Tax lists from 1802 are here unprotected. The collectors' records prior to this time are in possession of the overseers of the poor.

The sewer department has rooms on the third floor of the city hall, and in a dwelling-house fitted for offices, No. 14 Beacon Street. No provision is made for the safety of the plans, which

are, in fact, the record of underground public work, and are all that exists to give information in regard to such work. Their loss could not be supplied.

The street commissioners have rooms on the third floor, their records being kept in an old safe which was brought from the municipal court room in Dorchester. This is apparently worthless in its present situation.

The water board has a large fire-proof safe, new two years ago, of sufficient size for their records for some years to come.

The city surveyor has rooms on the third and fifth floors of the city hall, where his plans are kept. Many ancient plans are here of which no duplicates exist, including two volumes of Hale's plans of the streets, alleys, courts, etc., made in 1819. The plans and notes of surveys in the Dorchester district are on the upper floor of the municipal court building at Field's Corner, Dorchester.

The city engineer has rooms on the fourth and fifth floors of city hall, and in the building at No 14 Beacon Street. No provision is made for the safety of the plans. There is a small fire-proof building at South Framingham, used as a storage room for plans of the additional water supply.

The school committee have their headquarters in a brick building on Mason Street, formerly used as a school-house, one room of which is used as the ward room. Records are kept in two old safes brought from Charlestown, which were altered to make them more roomy at the expense of their safety, and they are not considered fire-proof. The large collection of files of papers which have been arranged by the present secretary are not in fire-proof quarters. At the time of the fire on Thanksgiving Day, 1889, it was thought necessary to remove the records for safety.

The overseers of the poor have a room in the Charity Building, Chardon Street, where the records since the establishment of the board as now constructed, for its whole term of twenty-six years, are kept. Volumes of the overseers' bills from 1838, which have been bound; records of the town crier, recovered by the board; many old papers of the selectmen, a partial catalogue of which was annexed to the annual report in 1877; and the tax lists of the cities and towns annexed to Boston, are also in the vault. The older records and papers, for which there is not room in the vault, are in a room in the building, unprotected.

The commissioners of public institutions have a room in the building No. 14 Beacon Street, and all records are kept in safes.

The board of health have rooms in a dwelling-house fitted for offices, No. 12 Beacon Street. There is no safe for the records, except a valueless one sixteen by eighteen inches. The original

death returns from May, 1875, to May, 1878, during which time they were by law returned to this board, are in the attic of the building, unprotected.

The registrars of voters have rooms in the building No. 14 Beacon Street. Most of the original records are in safes, one of which is poor. Much valuable material, which it would be difficult to replace, is, however, exposed.

The fire commissioners have rooms in a business building, No. 74 Tremont Street, where there is a good safe in which the records are kept. There are files of papers considered unimportant, some of as early date as 1760, in the office.

The police commissioners have rooms in a dwelling-house fitted for offices, No. 7 Pemberton Square, where there is a safe in which all records are kept.

The park commissioners have a large vault in which all their records are kept, in the New England Life Insurance Company's building.

BOXFORD (Sept. 23, 1889). The current records are in the town clerk's safe at his house. Many old records, dating back to 1685, are in a box in the second story of his grocery store. One volume, which is a tax list of the first parish from 1779 to 1794, was with these records. Most of the records are in bad condition. The volume of records of town proceedings, from 1742 to 1766, was missing. The assessors' records are said to be in a safe at West Boxford. (May 15, 1890, second visit.) Many old valuation lists, marriage certificates, and other papers were found in the attic of the poor-house, and put in possession of the town clerk. The town has purchased a new safe, and voted to erect a fire-proof building for the records; also to rebind and copy the mutilated records. The missing volume had been recovered.

BRADFORD (Sept. 9, 1890). The clerk has a good safe in his store in a four-story wooden block, where his current records are kept. The records of the selectmen and assessors, together with the old town records, are in a vault in the high-school building, which is so damp that they are moulding. Quite an accumulation of old valuation lists, in sheets, was found in the vault. Those from 1796 are bound. Marriage certificates and burial returns since 1885 have been preserved. A copy of the first volume of records was found, after a search, on the floor of the vault, covered with mould and already becoming discolored. A new brick town hall is in process of erection.

BRAINTREE (May 19, 1890). Wooden town hall, where the selectmen's and assessors' records are kept in a vault. The clerk has a safe for his use in the public library building, which is brick, but keeps the current records at his house, not in a safe. Marriage certificates for fifteen years have been preserved. The clerk has nearly one thousand names of births, marriages, and deaths, gathered from various sources, in his possession, which are not on the town records. The records are all in good condition.

BRIDGEWATER (Aug. 20, 1890). Wooden town hall. There is a good-sized vault on the first floor, but very damp and musty, in which the records of the clerk, assessors, and selectmen are kept. The valuation lists of as early a date as 1763, and almost continuous from 1790 to the date of the bound volumes, were in unbound books and sheets, in a mouldy condition, fast going to decay. The collectors' records have not been returned to the town. Most of them are said to be in possession of the chairman of the selectmen. Marriage certificates and burial returns have been preserved since 1887, and there are probably older ones in existence.

BROCKTON (Sept. 16, 1890). The city occupies rented rooms in a business block. The clerk has a large vault, in which all records not in safes are kept, and which is crowded to an extent to injure the records. The city treasurer, city engineer, and water board each have safes, but they all make use of the vault for their overflow. Records are in good condition.

BURLINGTON (July 24, 1890). Wooden town hall. The clerk has a small safe at his house, containing the current records, and old parish and town records. There is a great accumulation of ancient papers, pamphlets, etc., at his house, not in a safe, there being no other place provided. The assessors' records are scattered; older ones at the clerk's house, not in a safe. Collectors' records have not been returned to the town. Marriage certificates and burial returns for many years, perhaps all, have been preserved, but they were stored in many different places, and the years could not be obtained.

CAMBRIDGE (Nov. 23, 1890). A new city hall is to be occupied about December 1. All the departments except the school committee will have spacious vaults, and a large fire-proof room for the use of the city engineer and the storage of his plans has been constructed. The present clerk has repaired and bound all the old volumes, and has made copies of records, so that the city

has now copies of all records from 1632 to 1813. The collectors' records from 1811 to 1843, and from 1856 to 1890, are in possession of the city; those from 1844 to 1855 were sold for waste paper, the collector making the usual claim that they were his private property, and he had a right to dispose of them. "The quantity of books, parts of books, and miscellaneous papers" which were reported in 1885 as being in the cellar of the city hall, have been sorted, and will be arranged in the new building. The city has continuous town and city records from 1632, with the exception of one volume of the common council records, covering the time from January, 1858, to January, 1861, which is lost.

COTTAGE CITY (Aug. 7, 1890). The town offices are in the second story of an engine house. Two large vaults, eight by ten feet, one on each floor, have just been built, connected with the building, but so constructed that they can be included in a new building when desirable. The collectors' records are all in a vault, being put into the town's custody as soon as settlement is made. Marriage certificates and burial returns are all preserved. Plans of roads and copies of the records of laying out of highways now in Cottage City which formerly were in Edgartown are in the vault. The records and files are all in excellent condition, and the foresight of the town officers in providing for the future needs of the young town, and providing copies of records pertaining to it, is to be commended. The practice, not universal in towns, of saving bills, recently saved the town nine hundred dollars.

DALTON (Oct. 6, 1890). Wooden building used for the town office and school-rooms. There is a large new safe, fuller than it should be, which gathers dampness where it stands. The clerk keeps the older records in this and the later ones at his house, not in a safe, although the town has an old safe which it rents to a jeweller. The selectmen's records are at the chairman's house, not in a safe. The valuation lists for scattering years from 1824 to 1840 are in the safe; later ones not, but in book-cases in the town office. The record of births, marriages, and deaths, from 1802 to 1843, is not in possession of the town. The collectors' records have not been returned to the town. Marriage certificates and burial returns from about 1880 are preserved. The clerk has no knowledge in regard to any earlier.

DANVERS (April 14, 1890). Wooden town hall, standing apart from other buildings. There are two large vaults, — one in the town clerk's room, the other in the basement. There are also two

safes, — a small one in the clerk's room, a larger in the selectmen's. The assessors' lists are kept in the vault. All the births, marriages, and deaths have been copied and indexed ready for printing. All the records are systematically arranged and labelled on the back, and are in safes or vaults.

DARTMOUTH (not visited). Nov. 20, 1890, I found in the vault at New Bedford several hundred loose leaves, and two dilapidated volumes of Dartmouth records. The records are said to have been found by the late James B. Congdon some years ago, in barrels in a barn. They were put in order by him, and the proprietors' records were then copied by Daniel B. Leonard, now city clerk of New Bedford. All matter pertaining to New Bedford has been recently copied from them, which accounts for their being in New Bedford.

DOUGLAS (June 11, 1890). No town hall. The selectmen use a room in the public library building for an office. The town clerk's records most in use are in a safe, which is full, in a shop in a block used for mechanical purposes. The older records are in a closet in the town clerk's house, not in a safe. Old valuation lists and other papers are there also, kept in a bag, for easy removal in case of fire. There are two safes in the town office, but many of the assessors' records were not in them, being scattered about the office. A volume of proprietors' records in private possession has been demanded.

DUNSTABLE (May 20, 1890). No town building. The room used by the selectmen is in the second story of a wooden building, used for a store, post-office, etc.; papers, valuation books, etc., being in a closet of the room. I examined several boxes of old papers, and found old assessors' lists, marriage certificates, and school district records, of which the clerk took charge. The town clerk's records are in a safe at his house. He has assessors' records from 1800 to 1890, treasurers' records from 1785 to 1878, and collectors' records from 1798 to 1878, in his possession. The first volume of records in his possession, a copy of which has been made but not attested, needs binding. He has recovered four volumes of school district records. Three volumes of proprietors' records, covering the time from July 12, 1729, to July 10, 1739, and from Jan. 9, 1760, to May 26, 1807; also a volume of births, marriages, and deaths, commencing in 1679, I found in the office of the city clerk of Nashua, N. H.

The town has since purchased a safe, and provided a place for it in a building to be used as the town office.

DUXBURY (Aug. 21, 1890). The clerk has a safe in his store, where the current records are kept. The selectmen have an office at the town farm. There is an old safe there, with current records of the selectmen and overseers of the poor. Assessors' records from 1829 to date are there, but not in a safe. The collectors' records have not been returned to the town. Marriage certificates and burial returns have been preserved for a few years only. Several of the older volumes need rebinding. Found the first book of records, which was reported lost, consisting of a few unbound leaves about six inches square, in the second volume. A fire in the town, about 1642, is said to have destroyed many old records. A memorial building has recently been presented to the town, and a large vault is to be constructed in it immediately.

EAST BRIDGEWATER (Aug. 22, 1890). The town offices are in a two-story brick building, said to be absolutely fire-proof. The records of the clerk and assessors are all in a vault in this building, in excellent condition. The collectors' records for ten years are also there. Marriage certificates and burial returns since 1887 are filed. Those for many years previous are on hand. The selectmen are said to keep no record of their meetings.

EASTON (Sept. 16, 1890). Wooden town hall, with a good vault, with nothing in it but valuation lists of comparatively recent date, and a few papers. The town clerk has a good safe in his drug store at North Easton, where current records and certified copies of others are kept. The selectmen have a room at the poor-farm, in which there is an old safe where records are supposed to be kept; but I could find nothing there but valuation books for 1835, and a few years later. The collectors' records from 1873 to date are in the clerk's possession. Marriage certificates and burial returns have been preserved since 1875. The old original records could not be found by the clerk on the day of my visit, they having been removed from the safe at the poor-farm without his knowledge. The selectmen had probably loaned them.

EDGARTOWN (Aug. 6, 1890). Wooden town hall. The clerk has the current records in a safe in his store; older ones are in a vault in the town hall; selectmen's and assessors' records are in vaults there. Marriage certificates and burial returns for many years have been preserved by the present clerk. The collectors' records have not been regularly returned to the town. The records are all in good condition, and more attention than usual has been given to preserving and arranging the files.

ESSEX (Aug 28, 1890). The town office is in the basement of a church. There are two safes, one nearly new, both in good condition, and full. The records are all in them, but there is no provision for more. The valuation lists from 1819, with a few earlier ones of Chebacco Parish, are in the safe, and need binding to preserve them. Most of the collectors' records have been returned to the town. The proprietors' records need binding. Marriage certificates and burial returns have been preserved since 1884. The clerk has no knowledge of earlier ones.

FAIRHAVEN (Sept. 17, 1890). The town offices are in the second story of a business building, used as a market and lard-rendering establishment, making the situation extra hazardous. There are three safes, but none of them are considered fire-proof. The clerk's records are in the safe in his office, and in one in the post-office opposite. The selectmen's records are in their safe. The valuation lists for many years, probably all, are in a cupboard over the safe in the clerk's office. The collectors' records have been returned to the town. Certificates of marriage and burial returns for many years have been preserved. There is great need of more room for the records.

FALL RIVER (Sept. 8, 1890). City offices temporarily in the United States government building. The assessors' records are not in a vault; all others are. Marriage certificates and burial returns are complete and filed since 1864, and probably for about ten years previous. Copies of town meeting records from 1803 to 1843 have been made and certified, and paged in such a way as to refer to the original page. The records are in good condition, and the clerk is doing all necessary to make the old ones convenient for reference. The new city hall, supposed to be fire-proof, is nearly ready for occupancy.

FITCHBURG (Oct. 10, 1890). Brick city hall. There is a good vault on the ground floor, used by the clerk and auditor, and a large vault, perfectly dry, in the basement, used for the overflow. The assessors have a large vault, also in the basement, containing valuation lists in sheets from 1764 to 1790, and from 1808 to 1828, excepting 1815, 1816, and 1817. Those from 1841 are bound. The collectors' records from 1864 are in possession of the city. The treasurer and collector has a safe for a part of his records, a part being kept in a bank vault. The assessors and water commissioners both have safes. Indexes of births, marriages, and deaths from 1751, which include some of Lunenburg, are being

made and are well advanced. The records are all in good condition, and everything is in most excellent order.

FRAMINGHAM (Sept. 15, 1890). A wooden town hall at Framingham Centre, containing two large safes and a small one, which are of doubtful value. The records in them are in good condition now, but are in danger from dampness. The town clerk and selectmen have offices in a business block at South Framingham. The clerk has a small safe, not large enough and of doubtful quality for its situation. The selectmen have a large new safe. The collectors' records, as a rule, have been returned to the town. Many old papers, including valuation lists from 1787 to 1808, have been bundled up and put in a large but very damp vault, wholly unfit for records in its present condition, in the basement of Memorial Building. Several trunks of highway records and other papers are said to be in the attic of this building, together with many printed volumes. The whole situation of affairs is not creditable to a town of this size.

FRANKLIN (June 24, 1890). The town office is in a business block. The clerk, selectmen, and assessors each have a safe, in which the records are kept; that of the clerk is old, and he has a doubt of its value. Records are in good condition.

FREETOWN (Sept. 8, 1890). Wooden town hall, built two years ago. There are two good safes, one used by the clerk and selectmen, the other by the assessors. The assessors' lists for 1826, 1831, 1832, 1833, and 1835 in sheets, and since 1835 bound, are in the safe. The collectors' records have not been returned to the town. Marriage certificates have been preserved for ten years. Burial returns have not been preserved. The records are all in good condition. The volume of proprietors' records in private possession has been demanded. The records from 1683 to 1687, reported lost, were probably burned.

GEORGETOWN (Sept. 23, 1889). There is a good safe in the town clerk's private office in his printing office. Older safes, used by the selectmen and assessors, are in the engine house. The old valuation lists are apparently all in these safes. The collectors' records are there also. The records are all in good condition. More room is needed for records and files.

GLOUCESTER (Sept. 30, 1889). The records are in good condition, mainly in a vault and safe in the city hall. A very large vault is now being built. Upon its completion copies and origi-

nals will be kept in separate vaults. The clerk's records have been through one fire without injury, one stream of water having been constantly kept on the safe.

GREAT BARRINGTON (Oct. 7, 1890). A brick building built by the town and county is used by both. A large new safe was purchased this summer, in which part of the clerk's and selectmen's records are kept. There is an old safe in the second story, containing the ancient records. The clerk's current records are kept in a safe in his store. The assessors' records are not in a safe. There is a large pile of old valuation lists in sheets, and many piles of other papers, which are not in a safe. The first volume of town records should be bound, also three volumes of proprietors' records. The collectors' records have not been returned to the town. I discovered a volume not reported, called "Record of the North Parish of Sheffield," from 1745 to 1761; also a small volume of records of the Proprietors of Upper Housatonic, from 1742 to 1746.

GREENFIELD (Oct. 10, 1890). Town hall with a fire-proof vault, a little damp. The clerk has a safe in his office, where he keeps the current records. The older records of the clerk, and all the assessors' and selectmen's records, are in the vault. The valuation and tax lists from 1775 to 1785, and many others, the years of which were not ascertained, with bound volumes from 1820, are in the vault. The collectors' records have not been returned to the town, as a rule, although some were found in the vault. Marriage certificates and burial returns have been preserved for many years. Files and records have been partially arranged, and the town has appointed a committee, with full power and an appropriation, to complete the work.

GROTON (May 2, 1890). Brick town hall, with a large, dry brick vault. The town clerk's current records are kept in a safe in the building. A large safe, twenty years old, contains old files of papers. A few of the collectors' records are in the vault. Marriage certificates are preserved. The records and papers in the safes, which are of doubtful quality, should be kept in the vault, which has ample room for all.

HADLEY (July 16, 1890). The town clerk has a safe in his store, in which the current records are kept, and one in his house, in which older ones are preserved. The assessors' and selectmen's records are at the town hall or in the houses of the respective chairmen, not in safes. The collectors' records have not

been returned to the town. Marriage certificates and burial returns since 1881, and perhaps earlier, have been preserved. The town has voted to build a vault, and the plans are being figured upon. Six of the older volumes need binding. The clerk has a plan of the laying out of the lands in the centre of the town, dated 1659.

HUDSON (Sept. 18, 1890). Brick town building, with a good vault. The town clerk's office is in a brick business block, where the town has a fine new safe in which his records are kept. The selectmen's and assessors' records are in the vault. The collectors' records have not been returned to the town. Marriage certificates and burial returns have been preserved since 1878.

HULL (Sept. 11, 1890). A room in a wooden engine house is used as the selectmen's office. There were two safes there, to which I could not gain access. Found all the records prior to 1872, which should be in the clerk's custody, in a bundle on the floor of a closet in the dwelling of one of the selectmen, copies and originals being together. The clerk is said to have later records in his possession at Nantasket; thought not to be in a safe. The assessors' records may have been in the safe alluded to, but I could not ascertain. Found many old valuation lists and highway tax books in a bushel basket with old papers. The volume of proprietors' records has never been demanded. The earliest original records are in bad order, the first and second books being mere pamphlets.

IPSWICH (Aug. 28, 1890). Wooden town hall, with two brick vaults, — one for the selectmen and one for the clerk. The clerk has a safe, also, for current records. The valuation lists in sheets for many years between 1729 and 1752, and continuously from 1760, have been preserved, a part only being in the vault. The collectors' records have not been regularly returned. A volume of proprietors' records was partially copied, and left incomplete. Several old volumes are in a dilapidated condition, the first being almost in pieces, and kept in a box to prevent its destruction. Copying of the older records is in progress.

KINGSTON (Aug. 21, 1890). The town hall has a good vault, with a safe inside. The clerk has the current records in a good safe at his store. The valuation or tax lists from 1760 to 1843 on sheets and in pamphlets, and from 1843 in two volumes, are in the vault. Highway tax lists for many years are on file. The

first volume of births, marriages, and deaths, and the first and fourth of town proceedings, have been bound and repaired. Marriage certificates and burial returns from 1833 to 1844 are in the vault. Information in regard to later ones was not obtained. The records are in excellent condition, all of the old papers, and some of the later ones, having been arranged and filed.

LAWRENCE (Dec. 4, 1890). Brick city hall. The city clerk has a small vault on the first floor, in which his records are kept, the doors of which should be thicker for absolute safety. These records are in good condition. This is one of the cities which has suffered from the frequent change of clerks. The record of marriages and deaths are omitted for the months of November and December in one year, and there were omissions in the indexes for a certain period (which have, however, been supplied by the present clerk), caused evidently by change of clerks, the outgoing clerk not having done the work, and the incoming not having noticed the omissions. The assessors and auditor each have small safes; the collector and treasurer has a good vault, well filled; and there is a vault in the basement, used by the city engineer for his plans, and for the overflow of records from all other departments. The assessors, however, are not able to put all their records there, and have a large number of volumes in their office, not protected from fire. The overseers of the poor have no safe. The collector has all the records from the establishment of the town in 1847, having recovered one volume which was not placed in his possession.

LEXINGTON (July 25, 1890). Brick town hall with large vault, used by the selectmen and for the older records of the clerk. The savings bank uses room in the vault which the town requires. The clerk has a small safe in his store for the current records. The assessors have a good safe in the hall, but the later valuation lists were not in it. The collectors' records have not all been returned to the town. Marriage certificates and burial returns have been preserved since 1873. Copies of the records made in 1853 have faded to an almost illegible state. Four volumes should be rebound, and six unbound ones bound.

LINCOLN (Sept. 3, 1890). No town hall. The clerk has a safe in his store, where his records are kept. The selectmen are said never to have kept any records of their proceedings until about 1877. The assessors' records are not in a safe; those from 1844 to 1878 were scattered about in barrels, etc., until recently. The older ones, from 1761, nearly continuous, are in possession of Mr.

William F. Wheeler,¹ who will deliver them to the town when the town has a suitable place in which to keep them. Mr. Wheeler has also the town treasurers' accounts, from 1755 to a late date. Marriage certificates and burial returns have all been destroyed.

LITTLETON (May 2, 1890). Town hall, comparatively new, brick below and wood above. There is a good vault, to which new inner doors have been added. The town clerk has a safe of doubtful quality in his stable, which is small and would not make a hot fire, in which he keeps the current records. He is having records bound as often as needed. The assessors' records for many years, in sheets and unbound, are in the town vault. Marriage certificates to date have been destroyed.

LOWELL (Nov. 20, 1890). Brick city hall. The clerk has a vault, crowded to such an extent as to make order almost impossible; the records, however, are in good condition. The other departments have vaults, and there is a large vault on the ground floor, which is used as a store-room by all the departments, and in which books and papers are crowded in such confusion as to make them almost inaccessible. The collectors' records for a very long period are in the city's possession, but the years could not readily be ascertained. The city has changed its clerk often, which has been a detriment to the records. A new city hall with abundant vault room is expected to be completed in 1892.

LYNNFIELD (April 14, 1890). The meeting-house building is used in part for a town hall. The safe is crowded to overflowing, and a large quantity of papers, plans, etc., which were there, are now in a closet, unprotected. The collectors' records have not been returned to the town. Births, marriages, deaths, and marriage intentions from 1768 to 1843, have been copied. No marriage certificates have been preserved. The first volume of records needs binding. The town has voted to build a new town hall, but the location is not decided upon, and no immediate action is probable.

MALDEN (Nov. 26, 1890). Brick city hall. The city clerk has a safe in his office on the second floor, where his records pertaining to the city are kept. The older volumes of births, marriages, and deaths are kept in the auditor's vault on the first floor, but the older volumes of town records I was unable to find. A committee

¹ Mr. Wheeler has since died. No one probably was as well informed regarding, or took as much interest in, the town records as he, and he had promised me assistance in tracing and procuring records which are believed to be in existence, though scattered.

of the city government has recently reported that some of the records are still outside of the city hall, and should be returned at once. Of these I was able to find but three volumes of births, marriages, and deaths, which were in the vault of the former city treasurer. The assessors have a safe filled with the records for a few past years, the older ones being scattered. The city engineer has a small safe; treasurer and collector, a vault; the water department, a safe and a small vault; and the overseers of the poor, a small vault. There is a vault in the basement, intended for the overflow from all departments, which is too damp for use, and contains only old papers, which are valueless. The collector has tax lists from 1863, and one small book called "Record of Taxes," from 1795 to 1803, is in the auditor's vault, these being the only ones of which I could learn. Marriage certificates and burial returns since 1882 have been preserved.

MANCHESTER (Sept. 30, 1889). The clerk's records are in a good safe in the town hall. Everything is in good condition. The selectmen and assessors have a separate safe, also in the town hall. No positive information was obtained in regard to the collectors' records. The first volume of records has gone, probably beyond recovery. The records for the first one hundred years have been printed.

MARBLEHEAD (Aug. 27, 1890). There is a fine vault in Abbott Hall, where all the records are kept, except the assessors' records for late years, which are in a safe in their room. The tax or valuation lists from 1770 to about 1830, with those of a few earlier years, are in the vault in order, but in sheets or pamphlets. Marriage certificates and burial returns from 1850 have been preserved and filed by years. The clerk is in the office in business hours.

MARION (April 13, 1890). Small wooden building has recently been built for a town office, with a large vault, in which selectmen's and assessors' records are kept. The clerk has a good safe, owned by the town, in his store where his records are kept. The collectors' records have not been returned to the town. Marriage certificates prior to 1887 have not been preserved. The town treasurer has his records in a safe at the post office. A new town hall is to be built.

MARLBOROUGH (Sept. 20, 1889). Brick town hall. The clerk's records are in an old safe, apparently worthless in its position, in his office in a business block. The clerk has recommended for two years, in his annual report, the purchase of a safe sufficient for

his use. The collectors' records are not in possession of the town. The present collector has to provide his own safe in his own office. The assessors' records are said to be in a safe in the town hall, but I was unable to gain access to them. The records have recently been bound, and are in good condition in that particular, but several volumes should be copied. The proprietors' records should be copied before it is too late.

MATTAPOISETT (Sept. 11, 1890). The town hires a room in a wooden building, in which there is a safe, where the assessors' and selectmen's records are kept. The clerk has a good safe in his store, where his records and the tax lists for many years are kept; this is, however, full. The proprietors' records are in the private possession of the chairman of the selectmen, not in a safe. The collectors' records are all in the clerk's custody. Certificates of marriage have not been preserved; those of births for some years have been.

MAYNARD (Sept. 18, 1890). No town building. There is an old safe, probably worthless, in the clerk's office in a store in a wooden business block. The selectmen's records, together with those of the assessors, are in private safes. Marriage certificates and burial returns have been preserved from the time of the incorporation of the town, but there is no room for them in the safe. The collectors' records are all in the town's custody; those prior to 1878, which were supposed to be lost, having been discovered in a bundle in the office of the Assabet Mills during my visit.

MEDWAY (Aug. 19, 1890). No town building. Town meetings are held alternately at Medway and West Medway. The clerk has four safes in his charge, one a large one new this year, in his office in Sanford's Hall in Medway Centre, in which all records but the selectmen's are kept. Those are somewhat scattered. The assessors' records from 1831 are in a safe. Marriage certificates and burial returns since 1887 are preserved and filed. Some older ones, for unknown years, are preserved, but not arranged. Examined the contents of two old chests which were in the cellar of the building, and found valuation lists, highway tax lists, etc., on sheets, unbound, for 1782, 1790, 1793, and continuously from 1798 to 1830, the date of the first bound volume.

MILFORD (June 11, 1890). Wooden town hall. The clerk has his office there, with a good safe for his records. The selectmen's, assessors', fire department, and school committee records are in the

town vault in the clerk's care. In March, 1889, the town made an appropriation for putting old records and papers in order, and the clerk has taken great pains to collect them, and has obtained and systematically arranged nearly all. The collectors' records for 1875, 1876, and 1877 are in his possession. Certificates of marriages and burial returns are preserved and filed, and are nearly complete since 1785. A large number of birth returns have also been preserved and filed. The clerk is in the office in business hours. The book prepared by the clerk and treasurer for orders given by the selectmen can well be taken as a model for other towns.

MILTON (Sept. 2, 1890). Fine town hall, with a good safe nearly full. There is a large brick vault in the basement, but it is too damp for use as arranged, and has a large window which would seem to impair its value. The clerk keeps records of mortgages at his store, not in a safe. Marriage certificates and burial returns have been preserved since 1873. Tax or valuation lists from 1678 to 1727 are in the town records in chronological order; from 1728 to 1774 they are in the front of one volume, and from 1775 to date are bound separately. The collectors' records have not been returned to the town. The first volume of births, marriages, and deaths should be rebound; all the other volumes are in good condition.

NANTUCKET (July 30 and 31, 1890). An old building, recently remodelled, is used for both county and town offices. The clerk, selectmen, assessors, and each of the county officers, have a vault there in which all records are kept. The assessors' lists from 1840 are in their vault. The collectors' records have not been returned to the town. Marriage certificates and burial returns, nearly continuous from 1873, are in the vault, and many others were found among the rubbish in the attic of the building, which were taken by the clerk for preservation. Examined a mass of old papers in the attic, and laid out those that seemed important. There were several trunks of papers which I did not look over. The present clerk is putting in shape this large accumulation of papers.

NATICK (Sept. 20, 1889). Town hires rooms in a business block. The town clerk's office is there, with a safe more than full, which is said to have already been through two fires, which would make it worthless. No files of ancient papers were shown; recent ones are in a box, not in a safe. The assessors' records are in their possession, and are said not to be in a safe. The records of

the present collector are in his own safe in the same building, while the older records of the collectors have not been returned to the town. All the older records are in very bad condition, and should be bound, copied, and indexed. On a second visit, made Oct. 1, 1890, the records were found in the same condition as stated above. There were no records of the selectmen in their office, and the assessors' records for recent years were in a rack in the corner of their office; earlier ones, continuous from 1820, were in a closet in the same room. Other lists, unbound, for a few years between 1829 and 1855, were also there. The clerk has certificates of marriage and burial returns since 1865, but knew of no others. Could not find the volume of proprietors' records reported in 1885, but found one without covers but otherwise in good condition, covering the years from 1731 to 1787, and containing many plots of land. One other volume without covers was evidently reported as one of four volumes of proprietors' records. It consists of about forty leaves, mutilated and in disorder, containing records of some proprietors' meetings, and some matter recorded in the Indian language, which should be put in order. The first volume of births, marriages, and deaths, badly dilapidated, should be bound. This has just been copied, but not certified. In the Morse Institute building there was a chest full of bundles of papers, unprotected from fire, arranged and indexed by the librarian, consisting of school-district records, assessors' lists from 1773 to 1850, perambulation of town lines, town treasurers' records, etc., and many other papers more or less important. The present quarters have been leased by the town for five more years.

NEEDHAM (Aug. 19, 1890). Town offices are in a wooden business block, which is leased for about three more years. The selectmen's, assessors', and water commissioners' records are said to be in safes in this building. The clerk has his records in his house in a safe, which is now full. The collectors' records have not been returned to the town. Marriage certificates and burial returns have been preserved since Wellesley was set off in 1881, and numbered to correspond with the record. Papers and bonds for each year are filed by years. Three of the oldest volumes need binding. The clerk who served for many years resided in the part of the town now Wellesley, and may have papers in his possession belonging to the files of Needham.

NEW BEDFORD (Nov. 20, 1890). Stone city hall, in which the overseers of the poor and water board have vaults, and where there

is a vault also for the overflow of records. The offices of the clerk, collector and treasurer, auditor, and assessors, are in the brick public library building. The clerk has a good vault, the others safes. The collectors' records have nearly all been returned to the city. Marriage certificates and burial returns have been preserved. The city government has authorized the copying of all Dartmouth records which may be of value to New Bedford; and the births, marriages, and deaths, marriage intentions, and highway records, have been copied and indexed. The records are all in good condition, and well provided for.

NEWBURY (Sept. 10, 1890). Town hall three miles from the station and clerk, and two miles from either of the selectmen. There is a new safe there, in which the records of the overseers of the poor and selectmen are kept; also a vault in which are the assessors' records. The clerk has his records in an old town safe, which is apparently worthless, in a wooden building occupied in the front as a drug store, in the second story as a hall for public purposes, and in the two rear rooms as a factory. There is a large accumulation of pasteboard boxes, etc., there, and a number of kerosene stoves with glue pots on top in one of the rooms, the whole situation being most hazardous for records. The first volume of clerk's records is in a very dilapidated condition, and the second is not much better. Neither of them are copied. The whole condition of the old records is bad. Many old valuation lists, some as early as 1788, were in the vault unbound. The collectors' records, as a rule, have not been returned to the town. The tax lists from 1684 to 1688 are in a volume of records beginning with 1681. Marriage certificates and burial returns have not been preserved prior to 1890. As the early records contained facts relating to Newburyport as now located, her citizens justly complain of the great insecurity of them.

NEWBURYPORT (Nov. 21, 1890). Brick city hall. There are two vaults on the ground floor, used by the city clerk, both of which are crowded; while a very large vault in the basement, built to receive the surplus records, is so damp that it is unfit for records at present. All of the departments have safes. The assessors' records from the incorporation of the town are preserved, the greater part of them being in the vault in the basement, covered with thick mould and becoming seriously injured. The collectors' records have been returned to the city. Marriage certificates have been preserved since about 1850, burial returns since 1870. The clerk has recently recovered a small book containing the record of

intentions of marriage, and some few marriages from 1776 to 1780, which fills an unrecorded period. The first volume of marriages has been copied and indexed, and all marriage intentions have been indexed since 1885, the indexing of other volumes being in progress. The records, other than those in the basement, are in good condition.

NEWTON (Oct. 1, 1890). The clerk has a vault in his office and another in the basement for the overflow, more room, however, being needed. The assessors have a safe for present records, the older ones being in the clerk's storage vault. The valuation lists from a very early date are in their possession, but were not accessible so that I could obtain the years. One list for 1788, and a ministerial list for 1778, were found with the clerk's papers. The treasurer, collector, city engineer, and water registrar each have a safe. The records are all in good order, and the copying of the town records has been commenced.

NORTH ADAMS (Oct. 9, 1890). Brick town building, where there are two large vaults used for the records of the clerk, assessors, and selectmen; also a large safe, which is used by the selectmen. The clerk has the current records in a safe at his store. The collectors' records since 1860, and one volume of 1845, are in the town's possession, with the exception of such as are at North Adams, which are for that section of old Adams. The records and files are in the best of order, everything being in fire-proof quarters. Such records of Adams as were not burned are in the vault.

ORANGE (Oct. 3, 1890). Brick town hall with a large new safe, which already is full. The clerk's office is in the second story of a wooden business building, where he has an old safe containing his records. The first volume is in bad condition, and should be bound and copied. The valuation lists for 1828 and 1829 are preserved in folds, while those from 1830 are bound. Earlier lists and all files are supposed to have been lost when the town hall was moved in 1867, as boxes of papers were broken open, and their contents scattered about the streets. The collectors' records have not been returned to the town. Marriage certificates and burial returns have been preserved since 1867. Many births, marriages, and deaths, in the first volume, are copied into a later. The papers filed are not kept in a safe.

PELHAM (July 15, 1890). Wooden town hall, with a worthless safe, which was empty. The records are in a room in the clerk's

dwelling-house, scattered about in a promiscuous way with the public documents and other books. Many of the older records are in a dilapidated condition, needing rebinding and copying, and some are in sheets which have never been bound. In a book-case in a small room of the town hall some missing volumes of records were found; an old chest filled with papers, some important, but many of which have been mutilated by mice, was also there. In an adjoining room there was a stove, and the floor was covered with chips, kindling wood, etc., with all the conditions good for burning the building, and no possible way of extinguishing a fire once well started.

PEPPERELL (May 20, 1890). A large wooden town hall, containing a large vault and a safe. The current records and such as are liable to be referred to are at the clerk's house, not in a safe. The assessors' and selectmen's records are kept in the vault at the town hall, the safe being for the clerk's use. The valuation lists from 1815 to 1861 are in volumes in the vault. The collectors' records have been returned to the town. The records are in good condition, with the exception of one volume, which should be bound.

PITTSFIELD (Oct. 9, 1890). A wooden town building, recently refitted with a new vault, heated with steam, in the basement. All the older records are in the vault. The clerk has a safe for the current records, and the selectmen also have a safe. The records of the assessors are in the vault. Marriage certificates and burial returns from 1860, and possibly before, are preserved. The collectors' books and fire district valuation books are nearly all preserved and labelled. The tax lists from 1831 are bound. The old papers are filed and arranged more completely than in any of the old towns visited except Milford, chiefly done by Hon. James M. Barker when town clerk. The valuation lists, from 1772 to 1817 consecutively, and some scattering ones since, are arranged in bundles by years, and labelled. There is one large book, being a collection of ancient papers, beginning with the record of a meeting of the "Proprietors of the settling Lotts of Poontoosuc, 21 day of May, 1759."

PLYMOUTH (Oct. 22, 1889). While in town to inspect the county records, I made a very hasty inspection of the town office, insufficient for a report. Found a good vault, however, containing the clerk's records and some others.

PRESCOTT (July 15, 1890). The town clerk has a very small safe in his house, but it is wholly inadequate for his records. The

assessors' records are at the chairman's house, not in a safe; the selectmen have no safe. The collectors' records have not been returned to the town. Marriage certificates and burial returns have not been preserved.

RANDOLPH (July 23, 1890). Wooden town hall, with two vaults, in which all the records are kept. Some assessors' lists unbound from 1824 were found with some old papers, not in a vault. The collectors' records have all been returned to the town. Marriage certificates and burial returns have been preserved since 1885. Records in good condition.

ROCHESTER (April 13, 1890). The town has an old building, called the town building, unfit for its uses, the arrangements for heating making it insecure from fire. It contains a room for the selectmen's use, in which there is a safe containing some of their records. The town clerk's records are at his house, not in a safe. The first, second, third, and fourth volumes of the town records are in bad condition, and need binding. One of the volumes of assessors' records (1880 to 1890) is in the town clerk's possession. The old valuation lists are in the town building, in utter confusion. A volume or parts of a volume of proprietors' records, together with many plans of land in old Rochester, which comprised Marion, Mattapoisett, and Wareham, are in a box in the town building, unprotected from fire, and liable to be destroyed by mice, which have eaten many papers in the room. Marriage certificates are not preserved. Collectors' records have not been returned to the town.

ROCKPORT (Sept. 30, 1889). Wooden town hall, containing a vault. The clerk keeps the current records in his own house, not in a safe. The selectmen have a small separate safe in the town hall. The records are in excellent condition.

ROWLEY (Nov. 21, 1890). Wooden town hall. The selectmen's and assessors' records are kept there, but not in a safe. The clerk has a room in his house fitted for an office, where he has a safe which is crowded. The collectors' records have not, as a rule, been returned to the town, although a number of volumes are in the clerk's possession. Marriage certificates from 1853, with the exception of one year, are preserved, and have been filed and indexed. Burial returns have been preserved for a short time only. The records are all in good condition, with the exception of one old volume, which should be repaired and bound.

RUTLAND (Sept. 19, 1890). Wooden town hall. The clerks' office is in a room in his dwelling-house, where he has an old safe, now full. Many old papers are in closets, there being no place provided. The selectmen have an office in the town hall; their records and the assessors' are not in safes. Certificates of marriage and burial returns have been preserved since 1844. The collectors' records have not been returned to the town. The records are in good condition, with the exception of the volume of proprietors' records, which needs binding, and the first volume of town meeting records. The meeting-house was burned Feb. 28, 1830, and many town books and papers which were stored under the pulpit were destroyed.

SALISBURY (Nov. 21, 1890). Wooden town hall, in which no records are kept. There is a small wooden building, built four years ago for a town office, in which the clerk and selectmen each have a safe, in which all records are kept except the valuation lists. The collectors' records since about 1860 have been returned to the town. The old valuation lists since about 1775 are in the bottom of a book-case with other papers, those since 1820 being bound. Five of the oldest volumes are out of bindings, and in a very dilapidated condition; four of the later ones are in parchment covers, but in rather bad condition; part of these having been copied and well indexed, the originals have been neglected. Marriage certificates and burial returns for many years have been preserved and filed by previous clerks, and are packed away in chests with other papers, not in a safe.

SNUTESBURY (July 15, 1890). Wooden town hall, with a very small vault, hardly worthy the name. The clerk keeps his records at his house, not in a safe. The assessors' records from 1880 to 1890 are at the chairman's house, and earlier ones are at the town hall, not in safes. The collectors' records have been returned to the town. Marriage certificates and burial returns have been preserved since 1883. The volume of proprietors' records and one volume of the town records are in bad order, and need binding.

STOUGHTON (Sept. 4, 1890). Brick town hall, with a large dry vault. All the records are kept there except the current ones, which are at the clerk's house, not in a safe. The collectors' records from 1879 have been returned to the town. Marriage certificates and burial returns since 1875 are filed. Some of the old records have recently been bound, and all are in good condition. At the time

of my visit, the clerk and chairman of the selectmen were arranging for binding old tax lists from about 1727.

SUDBURY (Sept. 15, 1890). Wooden town hall, with a good vault, built in 1884; but, this being damp, most of the records are kept in a safe which is also there. The clerk keeps a copy of births, marriages, and deaths at his house. The current records of the selectmen are said to be kept in a private safe. The collectors' records have not, as a rule, been returned to the town, but the clerk has about twelve volumes. Certificates of marriage and burial returns are not preserved prior to 1887. Three volumes of proprietors' records now need binding. The valuation lists from 1778, nearly or quite continuous, are in good order for binding, having been arranged by the late John A. Maynard. All records needing it were rebound in 1840.

TAUNTON (Nov. 20, 1890). Brick city hall. The city clerk, treasurer and collector, and water board, each have vaults; the overseers of the poor, and assessors, safes. The records are all in vaults or safes, with the exception of those of the assessors, those of the last three years only being kept in a safe. The records are all in good condition.

TOPSFIELD (Sept. 23, 1889). Town hall contains a large vault. The assessors' records are in the town clerk's possession. The collectors' records have not been returned to the town. Everything is kept in excellent condition, although some of the older records should be copied and indexed.

TYNGSBOROUGH (May 20, 1890). The town has a good school building, in which the selectmen have an office, where their records are kept in a safe. Three thousand dollars has been voted to repair the building and put in a new vault. The records, other than the selectmen's and assessors', are in the town clerk's house, not in a safe. Marriage certificates have been preserved only since April last. No information was obtained in regard to dates of assessors' records. A copy of volume III. of the records, covering the years from 1845 to 1883, has been copied since 1885, and is being certified by the clerk. The first volume of town records, which has been copied, needs binding. The present clerk was elected in April last, his predecessor was in office two years, but neither of them have had any files of papers transmitted to them.

WALPOLE (April 11, 1890). Brick town hall, with a splendid vault. The clerk has a safe at the house opposite his own, where

the current records are kept. All the other town books, assessors' records included, are in the vault, with the exception of some of the collectors' records. The assessors' lists from 1761 to 1778 were purchased from a dealer in old books by the late James A. Dupee (the town officers having previously refused to buy them), by whom they were bound in one volume, and presented to the public library. The old marriage certificates have been destroyed.

WAREHAM (April 3, 1890). The town clerk has two safes at his house, but they are insufficient for his needs. The selectmen have a small building for their use, which contains a vault for their records as selectmen and assessors. Marriage certificates are preserved. Papers are filed, but many of them have to be kept in boxes. A few volumes of the records need binding.

WAYLAND (April 8, 1890). There is a good vault in the town hall, where all the records are kept with the exception of those of the selectmen, which are in an old safe of doubtful value.

WELLESLEY (Oct. 1, 1890). Stone town hall, considered fire-proof, with a very large vault, in which the assessors', selectmen's, and overseers' records are kept. The clerk has a safe in his office, which contains his records and papers. The collectors' records have been returned to the town. Marriage certificates and burial returns since 1888 are in the clerk's possession; previous ones, with the exception of a few years, are not. The previous clerk is said to have a large collection of papers at his house, which are supposed to be largely town papers of Needham and Wellesley.

WENHAM (Aug. 26, 1890). Wooden town hall, with two safes; one new in 1890, in which the clerk's older records and those of the selectmen and assessors are kept. The clerk has a safe in his office, which is a small building apart from his house, where a part of his records are kept. The tax lists from 1731 to date are bound, and in the safe. Everything is in excellent condition, the clerk having had all of the old records, even to the selectmen's order books, bound and put in order.

WEST BRIDGEWATER (Aug. 20, 1890). A small wooden building is used as a town office. The assessors' and selectmen's records are kept there, but not in safes. The clerk has the current records in a safe in his store. The assessors' records from 1822 to 1859 were in sheets in a drawer, in poor condition. The collectors' records have not been returned to the town. Marriage certificates and burial returns have been preserved for the past year; the pre-

vious ones were not in the clerk's custody, and probably are not preserved. Many manuscript records are said to have been burned about forty years ago. The town is having a dispute with Brockton about the boundary between the two places, the perambulation records of which cannot be found.

WESTFORD (May 2, 1890). A wooden town hall, with a vault for which new doors have just been completed. The clerk has a good safe at his house, where the current records are kept. The assessors' records from 1747 to date are in the vault. Nine volumes of them need binding, having come to pieces from the dampness in an old safe. The collectors' records have been returned to the town. Marriage certificates and burial returns during the administration of the present clerk are filed and indexed; the older ones cannot be found. Many of the old records had come to pieces, evidently from dampness in the old safe.

WESTON (April 8, 1890). Town hall, with a large new safe. A large number of volumes of assessors' records, and some of the selectmen's, had recently been returned to the town clerk, and were in the safe. A large chest had lately been brought there from the town clerk's house, which was said to contain old town papers, and a committee has been appointed to have these and the old records put in order.

WEST STOCKBRIDGE (Oct. 7, 1890). The town offices are in a wooden business block. There is a large good vault in the building, used by all town officers; a good safe, also, is in the office. The assessors' records are in the vault. The collectors' records, with the exception of one volume, have not been returned to the town. The tax lists from 1799 to 1806 are in two volumes, without covers; those from 1808 to 1812 in sheets by years, while those from 1822 to date are all bound. With this exception, the records are in excellent condition. Marriage certificates and burial returns have been preserved during the occasional years when the present clerk has held the office, but nothing is known of others. The volume of Rebellion records was written up after complaint made by the Grand Army Post. The school district records are all in the town vault.

WEYMOUTH (May 19, 1890). The town hall has a vault used by the selectmen and assessors. The town clerk has his records for frequent reference and use in a safe in his office in the savings-bank, and other records in a large safe in a grocery store next to the bank building. Marriage certificates have been preserved only

since 1887. The records are in good condition, with the exception of two original volumes, which badly need binding. The first volume of the town records has records of grants of land, no proprietors' records being known to be in existence. Some ancient volumes have been rebound.

WHITMAN (Aug. 22, 1890). The town clerk has the records in a good safe in his dwelling, which, however, is full. The assessors and selectmen have two large safes in rooms hired in a business block, where the clerk says the records are all kept. The collectors' records have been returned to the town. Records are all in good condition.

WINCHESTER (July 24, 1890). New stone town hall, with a vault for the clerk's use, and another for the selectmen's. All the records are in vaults. The collectors' records have not all been returned to the town. The information was not obtainable in regard to marriage certificates and burial returns, as the clerk had very recently died, and his successor *pro tem.* did not know about them.

YARMOUTH (Oct. 28, 1889). The town clerk's records are in a safe at a bank, in good condition. The selectmen's and assessors' records are in a room in the almshouse, not in a safe. The collectors' records have not been returned to the town. (June 30, 1890.) The town clerk reports that a building has been purchased for town offices, and a vault built which will be occupied as soon as dry.

ASSESSORS' RECORDS.

The detailed report in regard to the condition of the records in the towns visited emphasizes the statements made in my last report in regard to the records of the assessors and collectors, to which I would respectfully call attention. The older records of the assessors, either in the form of valuation lists or tax lists, have, when found, been in even worse condition than I anticipated, and many are missing. The selectmen have been notified that such lists as have been or can be found should be put in condition for preservation.

By chapter 307 of the Acts of 1888, the custody of the valuation lists, and their use, is left in doubt. Chapter 37 of the Public Statutes provides that the town clerk shall keep in the safe at all times, except when they are wanted for

use, all books of record or registry, and that all records shall be open for public inspection and examination; but this act provides that the valuation lists, or attested copies, shall be kept in the office of the assessors, or, if there is no office, with the chairman, and that "the residents and non-resident property holders of each city or town shall, at all reasonable times, have free access to" them. Under this act, assessors, in one town at least where they have deposited their records in the town vault, have forbidden the clerk to exhibit them to any person but a resident or a non-resident property holder, thereby putting an obstacle in the way of State or town officers who may find it necessary to consult those lists in the matter of pauper settlement. This act evidently was not intended to limit the right of any one to inspect the records, and should be amended in such a manner as to prevent such construction of it. By the provision allowing the chairman to have the records in his custody, they are more than likely to be kept at his dwelling-house, not in a safe, as the law requires.

COLLECTORS' RECORDS.

The records of the collectors, important as I represented them to be in my last report, have assumed a much more important position, as the experiences of the town officers in their efforts to obtain the information contained only in them have been related to me. It will be seen by the detailed town reports that with very few exceptions these are not in the custody of the town. Efforts have been made by the selectmen in many towns to obtain them, but they have been met by flat refusal of the collectors to deliver them, although their possession by the town would probably have saved it from pecuniary loss. Since 1887 the collectors' books have been made by statute the property of the town, and I cannot too strongly urge the passage of the following act, which would result in bringing very many of these valuable records into possession of the towns. Precedents for such legislation are established by chapter 18 of the Public Statutes, relating to records of notaries public, and by chapter 211 of the Acts of 1888, relating to records of trial justices.

AN ACT IN RELATION TO THE ACCOUNTS AND RECORDS OF COLLECTORS OF TAXES.

Be it enacted, etc, as follows :

SECTION 1. Every collector of taxes who resigns his office, or is removed or retired from office, shall within three months after such resignation, removal, or retirement, deposit all his accounts, records, and papers relating to the assessment and collection of taxes in the city or town in which he held such office, with the clerk of such city or town.

SECT. 2. Every ex-collector of taxes shall, within three months after the passage of this act, deposit all the accounts, records, and papers which are now in his possession relating to the assessment and collection of taxes in the town in which he held such office, with the clerk of said city or town.

SECT. 3. The executor or administrator of a deceased person who at the time of his death or previously thereto was a collector of taxes, shall within three months after his acceptance of the office of administrator deposit all the accounts, records, and papers which came into his hands relating to the assessment and collection of taxes, with the clerk of such city or town.

SECT. 4. When all the taxes committed to the collector of taxes in any city or town have been paid or abated, or in any event at the end of three years from the date of the commitment to him of said taxes, he shall deposit all the accounts, records, and papers relating to such taxes, with the clerk of the city or town in which he holds office.

SECT. 5. If the collector of taxes in any city or town has an office for the deposit of records and the transaction of the business of collector, the accounts, records, and papers required to be deposited with the city or town clerk shall be deposited with the collector in said office.

SECT. 6. Any city or town clerk, or collector of taxes mentioned in section 5 of this act, who shall have knowledge of any accounts, records, or papers relating to taxes in his city or town which under the provisions of this act should be in his possession, shall demand the same of any person having them in his possession.

SECT. 7. Any collector or ex-collector of taxes, or any executor or administrator mentioned in section 3 of this act who refuses or neglects to perform any duty required by this chapter, or any person having in his possession any accounts, records, or papers mentioned in section 6 of this act, who, after demand made by

the clerk or collector entitled by law to have possession of the same, wrongfully detains them, shall forfeit a sum not exceeding five hundred dollars.

BIRTHS, MARRIAGES, AND DEATHS.

Chapter 202 of the Acts of 1887, requiring that the returns of births, marriages, and deaths should be preserved and filed, is referred to more at length under "Files." This act was unknown to a few clerks already visited, who had continued to destroy the returns; but among those who knew of it but a very few had complied with its requirements, for the reason that they were not likely to be compensated for the work, which might require weeks for its proper completion. The statute, so far as indexing and arranging is concerned, is therefore a dead letter.

The records of births, marriages, and deaths are likely to be defective from neglect of the persons required to make returns to the town clerks; and, although the penalty for the neglect was recently increased, the clerks do not feel that they are to prosecute, and ask upon whom this duty should devolve. That the law should be enforced and the returns made to the clerks is important, and it would seem that the clerk should take every means in his power to obtain them, even to the extent of prosecuting. Although the clerks canvass annually before making their returns to the State, they often find that families have left town, and the facts for record of a birth or death, which the clerk may know has occurred, cannot be had.

An obstacle to a correct record of marriages exists in towns bordering on other States. Persons who cannot obtain permits in their own towns, cross the State line and are married, no record being made in this State unless they return to reside. By this method not only is there no record, but the law is brought into contempt. The remedy would seem to be in some legislation on the part of the neighboring States.

A difficulty exists in regard to the record of deaths, by the divided responsibility in towns where a board of health is established. Permits are returned to members of the

board at all times and places, and do not reach the clerk's office. In one town having a board of health three burials were made within a month of bodies brought from different cities, and the clerk is unable to learn of any burial permits having been issued or delivered. It would seem desirable that this matter be wholly within the jurisdiction of the town clerk.

Among the volumes of papers in the clerk's office of the supreme court in Boston, elsewhere referred to, is a volume made up of court files, containing records of births, marriages, and deaths, which are evidently part of the returns made by the town clerk to the clerks of the courts of sessions, or certified copies used as evidence in court. These relate to very many towns, and it is more than probable that deficiencies in town records can be supplied from them. They are indexed by towns, which makes them available.

PROPRIETORS' RECORDS.

Strange as it may appear to those familiar with proprietors' records, to many the meaning of the word "Proprietors" in this connection is unknown, and it seems necessary to explain it, even at the risk of repeating what has been said in the previous reports.

In 1634 it was enacted that "none but the General Court hath power to * * * and dispose of lands; viz.; to give and confirm proprietries," and from that time grants of the common and undivided lands were made to individuals and corporate bodies of proprietors. Where the grant, which was often called the plantation, was made to a body of proprietors, records were usually commenced, beginning with the allotment of the lands by the proprietors to the individual members. The proprietors were in fact the town, and many of their records may be considered town records until the grant or plantation became a town. If the original grant was to an individual, he was likely soon to dispose of parts, and then often to a body of proprietors who commenced records. Later these proprietors in turn disposed of the part to another body, and new records were commenced.

By reference to the first report of this commission, it will be seen that in many towns reporting proprietors' records the earliest date given is much later than the establishment of the town. This in some cases signifies that earlier records are lost; in others, that they are contained in the volume continued and reported as the town record, the proprietors' record as a separate record not being commenced until later; and in others that the town granted certain of its lands to proprietors, who commenced records.

Many of the lands granted and conveyed have descended from father to son without deeding, and therefore no record of them can be found in the registries of deeds, or in the court or town records where the deeds in very early days were recorded. The titles to these lands run directly through the proprietors' records, and that in itself should establish their value. Moreover, it has been decided that the record of the proprietors may carry title as against the record in the registry. In the case of *Green v. Putnam*, 8 Cushing, 21, the court held that a vote of the proprietors of Worcester, in 1733, recorded in their book of records, but not in the registry of deeds, that "one hundred acres of the poorest land on Millstone Hill be left common for the use of the town for building stones," constituted, even as against grantees under subsequent conveyances duly recorded in the registry, a grant of the quarry to the town, not for their use in a corporate capacity, but for the use and benefit of those only who were or might become inhabitants thereof, for all purposes in which such materials, in the progress of time and the arts, might be made useful.

Two sets of records were kept by some of the proprietors, one containing a description of the grants, often with plots, the other having the records of the meetings with the votes passed. Where any value has been put upon these records in a town, the volume containing the description, often called the "Book of Grants," has usually been considered of value, especially if it has plots also, while the other has been neglected as valueless. The following decisions overthrow that theory, however. "An ancient vote of proprietors of common lands, granting the same, was *prima facie* evidence of title and seisin." (*Inhabitants of Gloucester v. Gaffney*, 8

Allen, 11.) "Where the proprietors of the common and undivided lands in a township, at a regular meeting, voted a general acceptance and confirmation of the locations reported by their committees, without designating each location in particular, this being proved to be the general course of their proceedings in all locations, one so accepted and confirmed was held good and sufficient." (Codman and Others v. Winslow, 10 Mass. 146.)

Section 9 of chapter 37 of the Public Statutes provides that "the county commissioners of the several counties shall have made, under their direction, copies of such records of proprietors, town proprietaries, cities, towns, or counties within or without the Commonwealth, as relate to titles to land in their respective counties, and as in their judgment ought to be preserved and perpetuated; and such copies shall be deposited in the registry of deeds for the county or district of a county to which such records relate, to be there kept by the respective registers of deeds as other books of record are kept by them."

The importance of these records to conveyancers and their clients, and their inaccessibility in the towns, especially under the present custom in regard to exhibiting the records, and the danger to which they are exposed, makes it desirable that the permissive character of the section be changed, and that it be made mandatory that these records be copied. In a few counties the copying has been commenced, usually at the instigation of the register to whose county or district these records relate. Plymouth County has taken the lead in this matter.

The following records of proprietors have been reported since the returns made to this office in 1885:—

BOXFORD. The records recovered by the town clerk upon information from this office.

DOUGLAS. Records in possession of A. F. Brown, Douglas.

DUNSTABLE. Records in the office of the city clerk, Nashua, N.H.

NORTHBOROUGH. A volume is known to have been in existence, but no information in regard to its custody for the past fifty years has been obtained. Deacon Jonathan Livermore was the clerk.

WAREHAM. Records in possession of Girard C. Tobey, Wareham.

WASHINGTON. Records of the proprietors of Hartwood from 1763 to 1788 in the clerk's office of the superior court at Pittsfield.

The proprietors' records in the following towns have been put in possession of the respective town clerks since the printing of the first report: —

Boxford,	Montague,	Rowley (a second volume),
Dracut,	Mount Washington,	Sheffield.
Harwich,		

Copies of the following are reported as in the registries of deeds where they respectively belong: —

Barnstable,	Marshfield,	Rochester,
Bridgewater,	Mount Washington,	Scituate,
Dartmouth,	Northampton,	Sheffield,
Hadley,	Pelham,	Tyringham.
Hatfield,		

A personal examination of some of the proprietors' records has led to corrections in the dates originally returned to this office, but it does not seem necessary to print those at present.

SCHOOL RECORDS.

In the preliminary investigation made in 1885 no inquiry was made in regard to the records pertaining to schools, which, under successive acts of legislation, should be kept in the several towns.

By an act passed Feb. 28, 1800, the inhabitants of the several school districts were authorized to choose a clerk, who was to be sworn faithfully to discharge the duties of his office, which were "to make a fair record of all votes passed at any meeting of the district, and to certify the same when required."

Section 2 of chapter 105 of the Acts of 1838 provided as follows: "The school committee in each town shall be provided with a record book, in which all votes, orders, and proceedings of the committee shall be duly recorded, and said record shall be delivered over by the committee at the expiration of the year to their successors."

Section 22 of chapter 38 of the General Statutes required, and section 27 of chapter 44 of the Public Statutes still requires, that "The school committee shall appoint a secretary and keep a permanent record book, in which all votes, orders, and proceedings shall be by him recorded."

From this it will be seen that there should be records of the several school districts during the time of their existence, and of the school committees of the several towns from 1838. Very limited inquiry satisfied me that nothing but a systematic search in the towns would discover such school district records as were in existence, and I had no means at my command for the purpose. No town officer was authorized to make such a search, except it might be the town clerk, who is presumed by law to be the custodian of all records, and it was unreasonable to expect the work of him. I therefore turned my attention exclusively to the records of the school committees, and on Feb. 24, 1890, sent the following circular and questions to the school committee of each city and town, addressed to the chairman:—

COMMONWEALTH OF MASSACHUSETTS.

OFFICE OF THE COMMISSIONER ON PUBLIC RECORDS
OF PARISHES, TOWNS, AND COUNTIES,
9 PARK STREET, BOSTON, Feb. 24, 1890.

School Committee of——.

Will you have the kindness to answer the questions on the enclosed sheet, and return it at your earliest convenience?

I intend to obtain this information, if possible, from every city and town, and trust you will assist me in doing it in this inexpensive way, thus saving the cost of sending an agent to obtain it.

Respectfully yours,

ROBERT T. SWAN,
Commissioner.

CITY OR TOWN OF——.

1. What records of the school committee are in possession of your city or town? (See Public Statutes, chapter 44, section 27.)
2. What years do they cover?
3. In whose custody are they?
4. Are they indexed?
5. Are they kept in fire-proof safes?
6. Are papers and documents of the school committee preserved and filed?

7. Have any of the proceedings of the school committee been printed? If so, for what years?

8. Has your city or town a complete set of such proceedings? If not, what years are missing?

9. Are the school registers furnished by the Board of Education preserved? (See Public Statutes, chapter 41, section 7.) If so, for what years?

The following table presents the returns concerning records, papers, and registers, arranged alphabetically by cities and towns, the names of the cities being in capitals.

The information is sometimes necessarily abbreviated. In some instances the particular papers which are preserved and filed have been specified, but for the purpose of this report it has been deemed sufficient to say "A part." In cases where the registers are said to have been preserved temporarily, it is usually the fact that they are preserved for a few of the last years, those of the oldest year being destroyed annually. The term "Superintendent" signifies the Superintendent of Schools, to whom some of the committees have intrusted their records.

SCHOOL RECORDS.

[The asterisk signifies that no returns have been received, although *repeated* requests have been made of the chairman or secretary of the school committee. The use of the dash signifies, in the columns headed "School Committee Proceedings," that no records are kept; in the columns headed "Papers Preserved and Filed," and "School Registers Preserved," either that there are none preserved, or that the information was not returned.]

CITIES AND TOWNS.	SCHOOL COMMITTEE PROCEEDINGS			Papers Preserved and Filed	School Registers Preserved
	Years covered	In Keeping of—	Whether in Safes		
Abington, . . .	1882-1890	Secretary . . .	No . . .	Yes . . .	No
Acton, . . .	1877-1890	Secretary . . .	No . . .	No . . .	1887-1890
Acushnet, . . .	1885-1890	Secretary . . .	No . . .	-	Yes
Adams, . . .	-	-	-	-	-
Agawam, . . .	1880-1890	Secretary . . .	Yes . . .	Yes . . .	Yes
Alford, . . .	-	-	-	-	1888-1890
Amesbury, . . .	1860-1890	Committee . . .	No . . .	A part . . .	Yes
Amherst, . . .	1861-1890	Secretary . . .	No . . .	No . . .	Temporarily
Andover, . . .	1835-1890	Town Clerk . . .	Yes . . .	A part . . .	Yes
Arlington, . . .	1838-1890	Town Clerk ¹ . . .	Yes ¹ . . .	1885-1890 . . .	Mostly
Ashburnham, . . .	1854-1890	Committee . . .	No . . .	No . . .	1888-1890
Ashby, . . .	1857-1890	Secretary . . .	No . . .	No . . .	Yes
Ashfield, . . .	1879-1890	Secretary . . .	No . . .	No . . .	No
Ashland, . . .	1875-1890	Committee . . .	No . . .	Preserved only . . .	1875-1890
Athol, . . .	1840-1890 ²	Committee . . .	No . . .	No . . .	-
Attleborough, . . .	1883-1890	Secretary . . .	No . . .	Important ones . . .	Temporarily
Auburn, . . .	1853-1890	Committee . . .	Yes . . .	Many of them . . .	1878-1890
Ayer, . . .	1871-1890	Secretary . . .	No . . .	Preserved only . . .	1871-1890
Avon, . . .	1888-1890	Secretary . . .	No . . .	Preserved only . . .	Yes
Barnstable, . . .	1865-1890	Secretary . . .	No . . .	Important ones . . .	No
Barre, . . .	1855-1890	Secretary . . .	No . . .	Preserved only . . .	Not systematically
Becket, . . .	-	-	-	-	1889
Bedford,* . . .	-	-	-	-	-
Belchertown, . . .	1355-1890 ³	Secretary . . .	No . . .	No . . .	1884-1890
Bellingham, . . .	1857-1890	Secretary . . .	No . . .	No . . .	1854-1864, 1876-1890
Belmont, . . .	1859-1890	Committee . . .	Yes . . .	Yes . . .	Yes
Berkley, . . .	1847-1890	Secretary . . .	No . . .	Yes . . .	A part
Berlin, . . .	1851-1890	Secretary . . .	No . . .	No . . .	A part
Bernardston, . . .	1845-1890	Secretary . . .	No . . .	No . . .	1882-1890
Beverly, . . .	1866-1890	Secretary . . .	Yes . . .	Yes . . .	Yes
Billerica, . . .	1875-1890	Secretary . . .	No . . .	Yes . . .	1885-1890
Blackstone, . . .	1851-1890	Town Clerk ¹ . . .	Yes ¹ . . .	No . . .	A part
Blandford, . . .	1861-1890	Secretary . . .	No . . .	Yes . . .	1880-1890
Bolton, . . .	1838-1890	Secretary . . .	No . . .	No . . .	No
Boston, . . .	1792-1890 ⁴	Secretary . . .	No . . .	Yes . . .	-
Bourne, . . .	1834-1890	Committee . . .	No . . .	Yes . . .	Yes
Boxborough, . . .	1881-1890	Secretary . . .	No . . .	No . . .	1888, 1889
Hoxford, . . .	1838-1890	Committee . . .	No . . .	No . . .	1882-1890
Boylston, . . .	1852-1890 ⁵	Secretary . . .	Yes . . .	Yes . . .	1884-1890
Bradford, . . .	1876-1890	Secretary . . .	No . . .	No . . .	1886-1890
Braintree, . . .	1826-1890	Town Clerk ¹ . . .	Yes ¹ . . .	Of late years . . .	Of late years
Brewster, . . .	1834-1890	Secretary . . .	No . . .	Yes . . .	For a few of the latest years
Bridgewater, . . .	1856-1890	Secretary . . .	No . . .	Yes . . .	No
Brimfield, . . .	1861-1890	Secretary . . .	No . . .	No . . .	1884-1890
Brockton, . . .	1860-1890	Superintendent . . .	No . . .	Preserved only . . .	1837-1890
Brookfield, . . .	1873-1890	Chairman . . .	No . . .	No . . .	1880-1890
Brookline, . . .	1858-1890	Committee . . .	No . . .	No . . .	Abstracts are
Buckland, . . .	1847-1890	Town Clerk . . .	Yes . . .	Yes . . .	1885-1890
Burlington, . . .	{ 1840-1882 } { 1884-1890 }	Secretary . . .	No . . .	No . . .	1840-1890
CAMBRIDGE, . . .	1834-1890	City Clerk ¹ . . .	Yes ¹ . . .	Yes . . .	No
Canton, . . .	1851-1890	Committee . . .	No . . .	No . . .	-
Carlisle, . . .	1880-1890	Secretary . . .	No . . .	No . . .	No

¹ Except the volume in use.

² For a few of the years no records were kept.

³ For the first thirty years the record is defective.

⁴ Matters relating to schools from 1635 to 1792 are contained in the records of the town and selectmen.

⁵ No registers are furnished to Boston.

⁶ There is also a complete set of school district records.

SCHOOL RECORDS — Continued.

CITIES AND TOWNS.	SCHOOL COMMITTEE PROCEEDINGS			Papers Preserved and Filed	School Registers Preserved
	Years covered	In Keeping of—	Whether in Safes		
Carver, . . .	{ 1863-1869 }	Secretary . . .	No . . .	No . . .	1884-1889 ¹
Charlemont, . . .	{ 1883-1890 }	Committee . . .	No . . .	No . . .	Yes
Charlton, . . .	{ 1882-1890 }	- . . .	- . . .	- . . .	A part
Chatbam, . . .	{ 1845-1862 }	Committee . . .	No . . .	Preserved only	1846-1890
Chelmsford, . . .	{ 1872-1890 }	Secretary . . .	No . . .	Yes . . .	1885-1890
CHELSEA, . . .	{ 1875-1890 }	Committee . . .	No . . .	Yes . . .	Indefinite time
Cheshire, . . .	{ 1836-1890 }	Secretary . . .	No . . .	Yes . . .	1887-1890
Chester, . . .	{ 1881-1890 }	Committee . . .	No . . .	No . . .	1888-1890
Chesterfield, . . .	{ 1839-1890 }	Secretary . . .	No . . .	No . . .	1888-1890
Chicopee, . . .	{ 1860-1890 }	Town Clerk ² . . .	Yes ² . . .	Yes . . .	A part . . .
Chilmark, . . .	{ 1852-1869 }	- . . .	- . . .	- . . .	- . . .
Clarksburg, . . .	{ 1878-1890 }	Secretary . . .	No . . .	No . . .	1883-1890
Clinton, . . .	{ 1847-1850 }	- . . .	- . . .	- . . .	- . . .
Cohasset, . . .	{ 1853-1890 }	Secretary . . .	Yes . . .	Yes . . .	1884-1890
Colrain, . . .	1850-1890	Secretary . . .	No . . .	Yes . . .	Yes
Concord, . . .	1849-1890	Secretary . . .	No . . .	- . . .	1888-1890
Conway, . . .	1850-1890	Committee . . .	Yes ² . . .	No . . .	3 . . .
Cottage City, . . .	1837-1890	Secretary . . .	Yes . . .	Yes . . .	A part . . .
Cummington, . . .	1837-1890	Secretary . . .	No . . .	No . . .	No
Dalton, . . .	1880-1890	Secretary . . .	No . . .	Yes . . .	1884-1890
Dana, . . .	1888-1890 ⁴	Secretary . . .	No . . .	1889 . . .	1887-1890
Danvers, . . .	1880-1890	Secretary . . .	No . . .	Preserved only	Temporarily
Dartmouth, . . .	1916-1890	Town Clerk ² . . .	Yes ² . . .	Yes . . .	No ⁵
Dedham, . . .	1839-1890	Secretary . . .	No . . .	No . . .	A part
Deerfield,* . . .	1644-1890 ⁶	Committee . . .	No . . .	No . . .	No
Dennis, . . .	1867-1890	Secretary . . .	No . . .	Preserved only	1870-1890
Dighton, . . .	1876-1890	Secretary . . .	No . . .	No . . .	Chiefly since 1874
Douglas, . . .	1842-1890	Secretary . . .	No . . .	No . . .	Yes
Dover, . . .	1865-1890	Secretary . . .	No . . .	Yes . . .	No
Dracut, . . .	1880-1890 ⁷	Secretary . . .	Yes . . .	Yes . . .	Yes
Dudley, . . .	1880-1890	Secretary . . .	No . . .	No . . .	Temporarily
Dunstable, ⁸ . . .	1869-1890	Secretary . . .	No . . .	A part . . .	Usually
Duxbury, . . .	1858-1890	Secretary . . .	No . . .	No . . .	A part
East Bridgewater, . . .	1865-1890	Committee . . .	Yes . . .	No . . .	1886-1890
Eastham, . . .	{ 1841-1850 }	Secretary . . .	No . . .	No . . .	1883-1890
Easthampton, . . .	{ 1872-1890 }	Secretary . . .	No . . .	Yes . . .	Temporarily
Easton, . . .	1861-1890	Secretary . . .	No . . .	A part . . .	Temporarily
Edgartown,* . . .	1838-1890	Secretary . . .	No . . .	- . . .	- . . .
Egremont, . . .	1839-1890 ⁹	Committee . . .	No . . .	A part . . .	Yes
Enfield, . . .	- . . .	- . . .	- . . .	- . . .	1887-1890
Erving, . . .	1889-1890	Secretary . . .	No . . .	No . . .	A part
Essex, . . .	1829-1890	Secretary . . .	No . . .	Yes . . .	1857-1890
Everett, . . .	1870-1890	Secretary . . .	No . . .	Yes . . .	1889
Fairhaven, . . .	1838-1890	Secretary . . .	No . . .	A part . . .	Not regularly
FALL RIVER, . . .	1886-1890 ¹⁰	Secretary . . .	No . . .	A part . . .	Temporarily
Falmouth, . . .	1870-1890	Secretary . . .	No . . .	No . . .	No
FITCHBURG, . . .	1873-1890	Secretary . . .	No . . .	Yes . . .	1873-1890
Florida, . . .	1874-1890	Secretary . . .	No . . .	No . . .	1889
Foxborough, . . .	1874-1890	Committee . . .	Yes . . .	Yes . . .	A part
Framingham, . . .	1884-1890	Secretary . . .	No . . .	No . . .	1884-1890
Franklin, . . .	- . . .	- . . .	- . . .	1886-1890 . . .	1886-1890
Free town, . . .	- . . .	- . . .	- . . .	1889 . . .	1888-1890
Gardner, . . .	1860-1890	Secretary . . .	No . . .	Yes . . .	Temporarily

¹ Except the year 1887. There are some others in the town hall, the years of which are not reported.

² Except the volume in use.

³ Most of them for about twenty-five years.

⁴ There are condensed minutes for 1834, 1885 and part of 1886.

⁵ Except those of the high school.

⁶ The records from 1644 to 1851 are partial abstracts.

⁷ There are records of the prudential committee from 1857 to 1879 in possession of the selectmen.

⁸ The town clerk has recovered four volumes of school district records.

⁹ The records of a few years are missing.

¹⁰ All records were burned in 1886 in the city hall.

SCHOOL RECORDS—Continued.

CITIES AND TOWNS.	SCHOOL COMMITTEE PROCEEDINGS			Papers Preserved and Filed	School Registers Preserved
	Years covered	In Keeping of—	Whether in Safes		
Gay Head, . . .	1870-1890	Committee . . .	No . . .	Preserved only	Probably
Georgetown, . . .	1847-1890	-	No . . .	No . . .	The later ones
Gill, . . .	1833-1890	Secretary . . .	No . . .	Yes . . .	Yes
GLOUCESTER, . . .	1855-1890	Superintendent	No . . .	Important ones	A summary since 1831
Goshen, . . .	-	-	-	-	-
Gosnold, . . .	-	-	-	-	1875-1890
Grafton, . . .	1869-1890	Town Clerk ¹	Yes ¹	Preserved only	1869-1890
Granby, . . .	1889, 1890	Secretary . . .	-	Preserved only	No
Granville, . . .	1875-1890	Committee . . .	No . . .	Yes . . .	1875-1890
Great Barrington, . . .	1878-1890	Committee . . .	No . . .	1889, 1890 . . .	1889
Greenfield, . . .	1859-1890	Secretary . . .	No . . .	No . . .	No
Greenwich, . . .	-	-	-	-	-
Groton, . . .	1848-1890	Secretary . . .	Yes . . .	Yes . . .	1857-1890
Groveland, . . .	1869-1890	Secretary . . .	No . . .	No . . .	No
Hadley, . . .	1861-1890	Chairman . . .	No . . .	Yes . . .	For a few years
Hadifax, . . .	1889, 1890	Secretary . . .	No . . .	Yes . . .	Impossible to tell
Hamilton, . . .	1838-1890	Secretary . . .	No . . .	No . . .	No
Hampden, . . .	1878-1890	Chairman . . .	No . . .	A part . . .	1886-1890
Hancock, . . .	1880-1890	Secretary . . .	No . . .	No . . .	1835-1890
Hanover, . . .	1872-1890	Secretary . . .	No . . .	Yes . . .	1880-1890
Hanson, . . .	1867-1890	Secretary . . .	No . . .	No . . .	No
Hardwick, . . .	{ 1873-1881 } 1889, 1890 }	Secretary . . .	No . . .	No . . .	Temporarily
Harvard, . . .	1867-1890	Secretary . . .	No . . .	A part . . .	1889
Harwich, . . .	1882-1890	Secretary . . .	No . . .	A part . . .	Not all
Hatfield, . . .	1882-1890	Secretary . . .	No . . .	No . . .	A part
HAVERHILL, . . .	1870-1890	Secretary . . .	No . . .	Preserved only	Temporarily
Hawley, . . .	1852-1890	Committee . . .	No . . .	No . . .	Not systematically
Heath, . . .	1860-1890	Secretary . . .	No . . .	No . . .	1883-1886
Hingham, . . .	1794-1890	Secretary . . .	No . . .	Yes . . .	1850-1890
Hinsdale, . . .	1877-1890	Secretary . . .	No . . .	A part . . .	1834-1890
Holbrook, . . .	1881-1890	Secretary . . .	No . . .	No . . .	Temporarily
Holden, . . .	1818-1890 ²	Secretary . . .	No . . .	A part . . .	Not systematically
Holland, . . .	1860-1861 ³	Secretary . . .	No . . .	No . . .	A part
Holliston, . . .	1856-1890	Secretary . . .	No . . .	Yes . . .	No
HOLYOKE, . . .	1850-1890	Superintendent	No . . .	Yes . . .	Temporarily
Hopedale, . . .	1886-1890	Secretary . . .	No . . .	Yes . . .	1886-1890
Hopkinton, . . .	1854-1890	Committee . . .	Yes . . .	Since 1881	1882-1890
Hubbardston, . . .	1836-1890	Committee . . .	No . . .	No . . .	-
Hudson, . . .	1866-1890	Secretary . . .	No . . .	No . . .	Yes
Hull, . . .	1861-1890	Secretary . . .	No . . .	Think not . . .	A part
Huntington, . . .	{ 1855-1869 } 1870-1890 }	Secretary . . .	No . . .	A part . . .	1871-1878, 1881-1890
Hyde Park, . . .	1868-1890	Secretary . . .	Yes ¹	Yes . . .	To some extent
Ipswich, . . .	1870-1890	Committee . . .	No . . .	Yes . . .	1851-1890
Kingston, . . .	1833-1890	Committee . . .	No . . .	Yes . . .	1853-1866, 1877-1890
Lakeville, . . .	1835-1890	Secretary . . .	No . . .	No . . .	Yes
Lancaster, . . .	1869-1890	Secretary . . .	No . . .	Yes . . .	1883-1890
Lanesborough, . . .	{ 1877-1887 } 1889, 1890 }	-	No . . .	No . . .	A part
LAWRENCE, . . .	1847-1890	Superintendent	No . . .	Yes . . .	Abstracts of attendance are
Lee, . . .	1854-1890	Committee . . .	No . . .	Preserved only	1875-1890
Leicester, . . .	1880-1890	Secretary . . .	No . . .	No . . .	Of late years
Lenox, . . .	1876-1890	Secretary . . .	No . . .	No . . .	A part
Leominster,* . . .	-	-	-	-	-
Leverett, . . .	1844-1890	Secretary . . .	No . . .	No . . .	Of late years
Lexington, . . .	1877-1890	Secretary . . .	No . . .	Important ones	Yes
Leyden, . . .	1880-1890	Secretary . . .	No . . .	No . . .	A part
Lincoln, . . .	1886-1890	Secretary . . .	No . . .	Important ones	1886-1890
Littleton, . . .	1877-1890	Town Clerk . . .	Yes . . .	Important ones	A part
Longmeadow,* . . .	-	-	-	-	-
LOWELL, . . .	1827-1890 ⁶	Secretary . . .	Yes . . .	Yes . . .	Yes
Ludlow, . . .	1863-1890	Committee . . .	No . . .	Preserved only	A part
Lunenburg, . . .	1838-1890	Secretary . . .	No . . .	Yes . . .	No
LYNN, . . .	1850-1890	Secretary . . .	No . . .	Yes . . .	Temporarily

¹ Except the volume in use.² There probably are older records in the town.³ Occasional years since.⁴ Most of them are in possession of former members of the committee.⁵ Retained by the successive secretaries.⁶ From 1827 to 1838 full records were not kept.

SCHOOL RECORDS — Continued.

CITIES AND TOWNS.	SCHOOL COMMITTEE PROCEEDINGS			Papers Preserved and Filed	School Registers Preserved
	Years covered	In Keeping of —	Whether in Sales		
Lynnfield, . .	1882-1890	Secretary . .	No . .	No	1870-1890
MALDEN, . .	1863-1890	Secretary . .	Yes . .	No	1884-1890
Manchester, . .	{ 1849-1857 ¹ 1876-1890 }	Town Clerk . .	Yes . .	Partially . .	1846-1890
Mansfield, . .	1876-1890	Town Clerk ² . .	Yes . .	Yes	Yes
Marblehead, . .	1833-1890	Secretary . .	No . .	Yes	No
Marion, . .	1872-1890	Secretary . .	No . .	Yes	No
Marlborough, . .	1874-1890	Secretary . .	No . .	Preserved only	Yes
Marshfield, . .	1846-1890 ³	Secretary . .	No . .	No	Think they are
Mashpee, . .	1872-1890	Secretary . .	No . .	A part	Yes
Mattapoisett, . .	1887-1890	Secretary . .	No . .	Yes	1877-1890
Maynard, . .	1885-1890	Secretary . .	No . .	Important ones	{ 1874-1876, 1873- 1880, 1885-1890
Medfield,*	-	-	-	-	-
Medford, . .	1838-1890	Committee . .	No . .	Yes	No
Medway, . .	1861-1890	Secretary . .	Yes . .	Yes	No
Melrose, . .	1850-1890	Committee . .	Yes ² . .	Important ones	A part
Mendon, . .	1858-1890	Secretary . .	No . .	Important ones	A part
Merrimac, . .	1886-1890	Secretary . .	No . .	No	1881-1890
Methuen, . .	1853-1890	Secretary . .	No . .	No	1886-1890
Middleborough, . .	1837-1890	Secretary . .	No . .	For a few years	Yes
Middlefield, . .	1882-1890	Secretary . .	No . .	No	No
Middleton, . .	1876-1890	Secretary . .	No . .	-	Yes
Millford, . .	1854-1890 ⁴	Town Clerk ² . .	Yes . .	Yes	1887-1890
Millbury, . .	1877-1890	Committee . .	No . .	Yes	1888-1890
Millis, . .	1885-1890	Secretary . .	Yes . .	Yes	1885-1890
Milton, . .	1860-1890 ⁵	Town Clerk . .	Yes . .	Yes	1880-1890
Monroe, . .	1884-1890	Secretary . .	No . .	Yes	1884-1890
Monson, . .	1881-1890	Secretary . .	No . .	No	No
Montague, . .	1847-1890	Secretary . .	No . .	A part	1887-1890
Monterey, . .	1858-1890 ⁶	Secretary . .	No . .	No	No
Montgomery, . .	-	-	-	-	1889, 1890
Mt. Washington, . .	1886-1890	Town Clerk . .	Yes . .	-	Temporarily
Nahant, . .	1853-1890	Secretary . .	No . .	Important ones	Temporarily
Nantucket, . .	{ 1846-1853 ⁷ 1860-1890 }	Secretary . .	No . .	No	-
Natick, . .	1879-1890	Secretary . .	No . .	No	1887-1890
Needham, . .	1868-1890	Secretary . .	No . .	Preserved only	1880-1890
New Ashford, . .	1875-1890	Chairman . .	Yes . .	A part	A part
NEW BEDFORD, . .	1834-1890	Committee . .	Yes . .	Important ones, temporarily . .	No
New Braintree, . .	1826-1875	Town Clerk . .	No . .	Yes	No
Newbury, . .	- ⁸	-	-	-	-
NEWBURYPORT, . .	{ 1812-1843 ⁹ 1874-1890 }	Committee . .	No . .	A part	-
New Marlboro', . .	-	-	-	-	1881-1890
New Salem, ¹⁰ . .	-	-	-	-	Yes
NEWTON, . .	1857-1890 ¹¹	Secretary . .	No . .	Important ones	No
Norfolk, . .	1870-1890	Secretary . .	No . .	No	Generally
North Adams, . .	-	-	-	No	1878-1890
NORTHAMPTON, . .	1838-1890	Secretary . .	No . .	Since 1888 ¹² . .	1884-1890 ¹³
North Andover, . .	1856-1890	Secretary . .	No . .	Important ones	1883-1890
No. Attleborough, . .	1888-1890	Superintendent	No . .	No	1888-1890

¹ There were records for the eighteen missing years which cannot be found.² Except the volume in use.³ Except the years 1860 and 1870.⁴ Except 1857.⁵ There is a record also of the east school district from 1793 to 1847.⁶ Except 1862, 1873, 1875-1878, 1887 and 1888.⁷ The records prior to 1846 were burned.⁸ The record book was lost about 1835; no record has since been kept.⁹ They have been left at the school-houses, but teachers were recently instructed to return them to the secretary.¹⁰ All records were burned in 1855. A record kept until about 1870 was lost, and none has since been kept.¹¹ Since August, 1882, the records of the proceedings have also been printed.¹² Some earlier ones have been collected and filed.¹³ A large number of these, with other papers and documents, were destroyed by fire and water in May, 1893.

SCHOOL RECORDS — Continued.

CITIES AND TOWNS.	SCHOOL COMMITTEE PROCEEDINGS			Papers Preserved and Filed	School Registers Preserved
	Years covered	In Keeping of—	Whether in Safes		
Northborough, . . .	1851-1890 ¹	Secretary . . .	No . . .	No . . .	1880-1890
Northbridge, . . .	1856-1890 ²	Committee . . .	A part . . .	No . . .	1874-1890
North Brookfield, . . .	1877-1890	Committee . . .	No . . .	- . . .	1874-1890
Northfield, . . .	{ 1846-1863 1878-1882 }	Town Clerk . . .	Yes . . .	Yes . . .	1881-1890
North Reading, . . .	-	-	-	-	-
Norton, . . .	1850-1890	Secretary . . .	No . . .	No . . .	1888-1890
Norwell, . . .	1858-1890 ³	Secretary . . .	No . . .	Preserved only	1883-1890
Norwood, . . .	1872-1890	Secretary . . .	No . . .	No . . .	Important ones
Oakham, . . .	1862-1890	Secretary . . .	No . . .	No . . .	Yes
Orange, . . .	1861-1890	Secretary . . .	No . . .	Yes . . .	1831-1890
Orleans, . . .	1866-1890	Secretary . . .	No . . .	Yes . . .	-
Otis, . . .	1884-1890	Secretary . . .	No . . .	No . . .	A part
Oxford, . . .	1841-1890	Secretary . . .	No . . .	Important ones	Many
Palmer,* . . .	-	-	-	-	-
Paxton, . . .	1869-1890	Committee . . .	No . . .	One year . . .	1877-1890
Peabody, . . .	1855-1890	Town Clerk . . .	Yes . . .	Yes . . .	1855-1890
Pelham, . . .	1870-1890	Secretary . . .	No . . .	No . . .	1884-1890
Pembroke, . . .	1838-1890	Town Clerk ⁴ . . .	Yes ⁴ . . .	No . . .	Temporarily
Pepperell, . . .	1852-1890	Secretary . . .	No . . .	A part . . .	1888-1890
Peru, . . .	1840-1890	Secretary . . .	No . . .	No . . .	No
Petersham, . . .	1847-1890	Secretary . . .	No . . .	Yes . . .	Temporarily
Phillipston, . . .	1873-1890	Secretary . . .	No . . .	Preserved only	1886-1890
Pittsfield, . . .	1868-1890	Superintendent . . .	Yes . . .	Yes . . .	Temporarily
Plainfield, . . .	1853-1890	Secretary . . .	No . . .	No . . .	A part
Plymouth, . . .	1887-1890	Secretary . . .	No . . .	Temporarily	No
Plympton,* . . .	-	-	-	-	-
Prescott, . . .	1852-1890	Secretary . . .	No . . .	No . . .	Yes
Princeton, . . .	1871-1890	Secretary . . .	No . . .	Yes . . .	Temporarily
Provincetown, . . .	1877-1890	Secretary . . .	Yes . . .	Preserved only	1880-1890
QUINCY, . . .	1849-1890	City Clerk ⁴ . . .	Yes ⁴ . . .	Important ones	For a few of the latest years
Randolph, . . .	1875-1890	Secretary . . .	No . . .	Important ones	Yes
Raynham, . . .	1839-1890	Secretary . . .	No . . .	- . . .	1888-1890
Reading, . . .	1838-1890 ⁵	Town Clerk ⁴ . . .	Yes ⁴ . . .	Yes . . .	Temporarily
Rehoboth, . . .	1847-1890	Secretary . . .	Yes . . .	No . . .	-
Revere, . . .	1854-1890	Committee . . .	No . . .	Yes . . .	1887-1890
Richmond, . . .	1883-1890	Secretary . . .	No . . .	Important ones	1865, 1873, 1880-1890
Rochester, . . .	1880-1890	Secretary . . .	No . . .	Yes . . .	Yes
Rockland, . . .	1874-1890	Secretary . . .	No . . .	Yes . . .	1874-1890
Rockport, . . .	1873-1890	Secretary . . .	No . . .	No . . .	1880-1890
Rowe, . . .	1888-1890	Town Clerk . . .	No . . .	No . . .	Think so
Rowley, . . .	-	-	-	-	Temporarily
Royalston, . . .	1877-1890	Secretary . . .	Yes . . .	Important ones	No
Russell, . . .	1875-1890	Town Clerk ⁴ . . .	Yes ⁴ . . .	Important ones	1880-1890
Rutland, . . .	1858-1890	Secretary . . .	No . . .	Preserved only	1885-1890
SALEM, . . .	1712-1890	Secretary . . .	Yes . . .	Yes . . .	1870-1890
Salisbury, . . .	1878-1890	Secretary . . .	Yes . . .	- . . .	For many years
Sandisfield, . . .	{ 1850-1870 1873-1890 }	Town Clerk ⁴ . . .	No . . .	Preserved only	No
Sandwich, . . .	1852-1890	Secretary . . .	No . . .	No . . .	No
Saugus, . . .	1862-1890	Committee . . .	No . . .	Yes . . .	1871-1890
Savoy, . . .	1878-1890	Town Clerk . . .	Yes . . .	Preserved only	No
Scituate, . . .	1854-1890	Committee . . .	No . . .	Yes . . .	1886-1890
Seekonk, . . .	1877-1890	Secretary . . .	- . . .	- . . .	-
Sharon, . . .	1831-1890 ⁶	Secretary . . .	No . . .	No . . .	No
Sheffield, . . .	{ 1856-1857 1860-1890 }	Committee . . .	Yes . . .	Yes . . .	1885-1890 ⁷
Shelburne, . . .	1871-1890	Chairman . . .	No . . .	A part . . .	Yes
Sherborn, . . .	1851-1890	Secretary . . .	No . . .	No . . .	1887
Shirley, . . .	1828-1890	Secretary . . .	No . . .	Yes . . .	-
Shrewsbury, . . .	1870-1890	Secretary . . .	No . . .	No . . .	No
Shutesbury, . . .	1894-1890	Secretary . . .	No . . .	No . . .	No

¹ Earlier records undoubtedly are in existence.² There are some school district records from 1819 to 1823.³ The records of South Scituate are not accounted for.⁴ Except the volume in use.⁵ There are also records of the district committee, more or less complete, from 1818 to 1837.⁶ One volume of records is missing.⁷ For occasional years before.⁸ Probably in the possession of former members of the committee.

SCHOOL RECORDS—Continued.

CITIES AND TOWNS.	SCHOOL COMMITTEE PROCEEDINGS			Papers Preserved and Filed	School Registers Preserved
	Years covered	In Keeping of—	Whether in Safes		
Somerset, . . .	1838-1890 ¹	Secretary . . .	No . . .	No	No
SOMERVILLE, . .	1842-1890	Superintendent	Yes . . .	Yes	Yes
Southampton, .	1850-1890 ²	Committee . . .	No . . .	Yes	No
Southborough, .	1870-1890	Secretary . . .	No . . .	Important ones	Latterly
Southbridge, . .	1838-1890	Committee . . .	No . . .	A part	1882-1890 ³
South Hadley, . .	1879-1890	Secretary . . .	No . . .	Since 1886 . .	1887-1890
Southwick, . . .	-	-	-	-	-
Spencer,*	-	-	-	-	-
SPRINGFIELD, .	1842-1890	Superintendent	No . . .	Yes	1872-1890
Sterling,	1870-1890	Secretary . . .	No . . .	No	1885-1890
Stockbridge, . .	1840-1890	Secretary . . .	No . . .	Yes	No
Stoneham, . . .	1863-1890	Secretary . . .	No . . .	Important ones	1871-1890 ⁴
Stoughton, . . .	1838-1890	Secretary . . .	No . . .	A part	Temporarily
Stow,	1863-1890	Secretary . . .	No . . .	No	Yes
Sturbridge, . . .	1858-1890 ⁵	Secretary . . .	No . . .	Yes	Yes
Sudbury,	-	-	-	-	-
Sunderland, . . .	1864-1890 ⁷	Secretary . . .	No . . .	Yes	Yes
Sutton,	1870-1890	Town Clerk . .	No . . .	No	Latterly
Swampscott, . . .	1852-1890	Secretary . . .	No . . .	No	No
Swansea,	1880-1890 ⁸	Secretary . . .	No . . .	Preserved to a limited extent	Temporarily
TAUNTON,	1829-1890	Committee . . .	No . . .	Yes	Yes
Templeton, . . .	1829-1890	Committee . . .	No . . .	No	No
Tewksbury, . . .	1852-1890	Committee . . .	No . . .	No	Not regularly
Tisbury,	-	-	-	-	-
Tolland,	-	-	-	-	-
Topsfield,	1838-1890 ⁹	Town Clerk . .	Yes . . .	No	Most of them
Townsend,	1873-1890	Secretary . . .	No . . .	Important ones	Yes
Truro,	1850-1890	Secretary . . .	No . . .	Yes	Temporarily
Tyngsborough, . .	1830-1890	Secretary . . .	No . . .	No	A part
Tyringham, . . .	1857-1879	Committee . . .	-	No	Yes
Upton,	1885-1890	Secretary . . .	Yes . . .	No	Temporarily
Uxbridge,	1860-1890	Secretary . . .	No . . .	No	1884
Wakefield, . . .	1835-1890	Committee . . .	No . . .	No	1876-1890
Wales,	1880-1890	Committee . . .	No . . .	A part	1870-1890
Walpole,	1870-1890	Secretary . . .	No . . .	No	No
WALTHAM,	1835-1890	City Clerk . . .	Yes . . .	Yes	Temporarily
Ware,	1879-1890	Committee . . .	No . . .	No	No
Wareham,	10. 1890	Committee . . .	-	-	-
Warren,	1864-1890 ¹¹	Town Clerk . .	Yes . . .	No	1886-1890
Warwick,	1873-1890	Secretary . . .	Yes . . .	Yes	Yes
Washington, . . .	1886 only	Chairman . . .	No . . .	No	No
Watertown, . . .	1614-1890 ¹²	Town Clerk ¹³	Yes ¹³	Important ones	Latterly
Wayland,	1883-1890	Secretary . . .	No . . .	Yes	1883-1890
Webster,	1886-1890	Secretary . . .	No . . .	No	1883-1890
Wellesley,	1881-1890	Town Clerk . .	No . . .	Preserved only	1881-1890
Wellfleet,*	-	-	-	-	-
Wendell,	1869-1890	Secretary . . .	No . . .	Preserved only	1884-1890
Wenham,	14. -	-	-	-	-
Westborough,*	-	-	-	-	-
West Boylston,*	-	-	-	-	-
West Bridgewater, .	1846-1890	Secretary . . .	No . . .	No	1878-1890
West Brookfield, .	1879-1890	Town Clerk . .	Yes . . .	Yes	Yes
Westfield,	1882-1890	Secretary . . .	Yes . . .	Important ones	Temporarily
Westford,	1866-1890 ¹⁵	Town Clerk . .	Yes . . .	Yes	1871-1890

¹ Occasional years are missing.² An earlier record was kept, but is missing.³ Two registers for 1881 and 1882; full set for 1871 and 1872.⁴ Also a few for several previous years.⁵ Those prior to 1858 are in possession of the selectmen; the years are not given.⁶ A record has been commenced.⁷ All records but the present volume are in possession of former members of the committee.⁸ The earlier records are lost.⁹ Nothing was recorded in 1829, 1840, 1841, 1866, 1873 and 1876.¹⁰ All school records were destroyed by fire Oct. 4, 1890.¹¹ There are also records of the prudential committee prior to 1864.¹² This includes records relating to schools which are in the general records.¹³ Except the volume in use.¹⁴ There are a few school district records and accounts.¹⁵ There are also four volumes of records of the prudential committee in the town vault.

SCHOOL RECORDS — Concluded.

CITIES AND TOWNS.	SCHOOL COMMITTEE PROCEEDINGS			Papers Preserved and Filed	School Registers Preserved
	Years covered	In Keeping of—	Whether in Safes		
Westhampton, . .	1886-1890	Chairman . .	No . .	Yes	1886-1890
Westminster, . .	1868-1890	Secretary . .	Yes . .	Important ones	No
West Newbury, . .	1839-1890	Secretary . .	No . .	Yes	1851-1890
Weston,	1845-1858	Secretary . .	No . .	-	1882-1890
	{ 1867-1874 } ¹				
	1879-1890				
Westport,	1880-1890	Secretary . .	No . .	Yes	1887-1890
West Springfield, .	1859-1890	Committee . .	No . .	No	Temporarily
West Stockb'dge, ²	-	-	-	-	1870-1890
Weymouth,	1882-1890	Secretary . .	No . .	No	1888-1890
Whately,	1874-1890 ³	Committee . .	No . .	Yes	1885-1890
Whitman,	1875-1890	Committee . .	Yes . .	Yes	1887-1890
Wilbraham,	1847-1890	Secretary . .	No . .	A part	No
Williamsburg, . .	-	-	-	-	-
Williamstown, . .	{ 1862, 1866, }	Town Clerk . .	No . .	Yes	No
	{ 1869, 1870, }				
	1873-1890				
Wilmington, . . .	1884-1890	Secretary . .	No . .	No	1889, 1890
Winchendon, . . .	1884-1890	Secretary . .	No . .	A part	1868-1890
Winchester, . . .	1850-1890	Secretary . .	Yes . .	Yes	Latterly
Windsor,	-	-	-	No	4-
Winthrop,	1876-1890	Secretary . .	No . .	Yes	1885-1890
WOBURN,	1847-1890	Secretary . .	Yes ⁵ . .	Since 1885	1886-1890
WORCESTER, . . .	1823-1890	Superintendent	No . .	Yes	Temporarily
Worthington,* . .	-	-	-	-	-
Wrentham,	1861-1890	Secretary . .	No . .	-	Yes
Yarmouth,	1859-1890	Secretary . .	No . .	No	No

¹ Records are being copied and tabulated.

² All the school district records are in the town vault.

³ The old records have been stolen from the safe.

⁴ Registers have been kept by the chairmen of the several boards.

⁵ Except the volume in use.

As shown by the table, twenty-six towns have no records, and but thirty-nine have them from 1838. That many more records than are reported are in existence is undoubtedly the fact, but, as they are not in legal custody, and their custody is unknown, they are practically lost, and are likely to be in reality, and it should be the duty of some one to search for them. Under the present indefinite condition of affairs in regard to all town records, nobody has heretofore cared to take the trouble or responsibility of procuring them. It will be seen that as a rule the records are not in safes.

From the above table it will be seen that the school district records in a few of the towns are known by the school committee to be preserved; and, in my inspection of the records of several of the towns in which no mention is here made of the district records, I have found such, their existence being apparently unknown to anyone in authority.

This inquiry has been of service aside from the gathering of the information presented: the law has been brought to

the attention of some boards of school committee who were ignorant of it, and records will be commenced; new members have been led to search for old records of which their predecessors have no knowledge, and have found them in the families of former members of the board, or have been surprised to find that none have been kept. In a few instances the present board have reported that their predecessors have transmitted nothing, and are not disposed to help them to information in regard to records.

The necessity of keeping these records need not be discussed, as the statute requires that they be kept; but, as a member of one committee wrote me that he considered it absurd for three men to keep a record of their doings, it may be well to state that the record of a vote passed by three committee men in one town saved the town directly one thousand dollars, and indirectly much more.

FILES OF PAPERS.

The files of papers in the counties, cities, and towns have been sadly neglected in the past. The two hundred or more volumes of papers in all stages of decay which have been rescued and preserved in the office of the clerk of the supreme court in Boston, and the absence of the files of papers of many early years from other places where they should be, attest this. In the county offices they have been preserved for many later years, but in the cities and towns generally, especially in the latter, they have not been preserved. Owing to the high price of paper during the Rebellion, thousands of papers were sold to be destroyed.

In saying that files have not been preserved, I do not mean that in all cases they have been destroyed, for under the spur of this office they are being produced from attics and cellars where they were placed by their former custodians for want of better places, and where they have been forgotten, and have ceased to be considered part of the town records.

The important papers deposited with the clerks in many of the towns to-day are not "filed and arranged conveniently for examination and reference," simply because the town has made no provision for them, and the clerk is obliged to make the best arrangement he can for keeping them in his house

or private office. In providing for the records the selectmen have not taken into account the "important documents or papers" for which it is incumbent upon them to provide safes. Sufficient importance is not attached to the papers filed, especially if they have been recorded, and their preservation is looked upon as absurd. It is an exception where maps and plans, often made at much cost, are kept in safes.

By chapter 202 of the Acts of 1887, it was provided that all marriage certificates, and burial and birth returns, should be preserved, filed, and indexed. To the credit of many of the clerks be it said that they have preserved them for the whole of their terms of office, beginning before this requirement; but to my question, "Have these been preserved?" the answer almost invariably is, "Since I have been clerk; I do not know about others." Upon search being made, bundles of them containing all which one or more of the former clerks have preserved have often been found. This act has been considered particularly useless, and I think it best, therefore, to state a few cases in illustration of its value.

Danvers is fortunate in having these returns for a great many years, and the work of indexing them was put into the hands of one of the citizens interested in the matter. I am informed by him that nearly one thousand errors or omissions were found in the records which were supposed to contain the record of all these returns, the errors being principally in proper names, which the recording officer had misread, and which the arranging and indexing brought to light. The name deciphered as Ogden, and so recorded, was found by correlative evidence in the indexing to be Tyler, and many similar errors were thus discovered. In Milford a widow entitled to a United States pension would have been deprived of it because consumption was the recorded cause of the death of her husband. The original certificate, which fortunately had been preserved by the former clerk, and properly filed by the present, showed an error in the record, and the pension was justly obtained. In Boston a claimant for a pension was indignant to find that the cause of her husband's death was recorded as intemperance, and she called the attending physician to dispute it, which he did. He was confronted with his original return correctly recorded, and

the city registrar was relieved from responsibility in the case. In one town a clerk was threatened with prosecution for defamation in printing what was claimed to be a wrong cause of death, but the return was found to be properly recorded, and the quarrel was transferred to the physician. Numerous cases might be cited where both justice to the citizen and the State, and protection to the recording officer, both from the charge of errors committed, and personal responsibility for them, has depended upon the production of the original papers. Reference to the duties of clerks in regard to filing of papers will show many instances where the neglect to place certain papers on file might invalidate the rights of the town or of individuals.

CHURCH RECORDS.

In entering upon the subject of church records, it is necessary to repeat the statement made in the second report of this commission, that, wherever church records are referred to in this report, the records of church, parish, and society are included, unless the context shows that they relate to the particular records known as church records.

In the second report I said I did not find it distinctly set forth that every parish and incorporated religious society should keep records, but under section 3 of chapter 106 of the Public Statutes it would seem that every incorporated religious society should do so. That some do not, is, I think, a fact; but an investigation among upward of two thousand churches as to which are incorporated and keep records is beyond my power under the resolve continuing this commission. Among those that do, little attention is given to the safety of the records, which, as a rule, are in dwelling-houses unprotected from fire, although in a few towns the older volumes not in use have been placed in the custody of the town clerk to be kept in the vault, a precaution which is to be commended.

The loss of these records is often a great loss to the historian and genealogist; and, as the parish records in very early days were the town records, the loss of those is the town loss. The town of Dunstable finds itself embarrassed in a suit in regard to disputed land, owing to the loss of parish records of recent date.

In the absence of town records of births, marriages, or deaths, the church records of baptisms, marriages, and burials become especially useful, and their legal value would seem to be fully established by the case of *Kennedy v. Doyle*, 10 Allen, 161. In that case the court held that "the entry of a baptism, contemporaneously made by a Roman Catholic priest, in the discharge of his ecclesiastical duty, in his church record of baptisms, is competent evidence after his death of the date of the baptism, if the book is produced from the proper custody; although he was not a sworn officer, and the record was not required by law to be kept." Gray, J., said, in his opinion: "In the case before us, a book was kept by the deceased priest in the usual course of his office, and was produced from the custody of his successor; the entry is in his own handwriting, and appears to have been made contemporaneously with the performance of the rite, long before any controversy had arisen, with no inducement to mistake, and no interest except to perform his official duty. . . . An entry made in the performance of a religious duty is certainly of no less value than one made by a clerk, messenger or notary, an attorney or solicitor, or a physician, in the course of his secular occupation."

A case brought before the Legislature in 1890 illustrates the value of the records to a society itself. The First Parish, West Roxbury, was incorporated in 1712; the church edifice was burned in January, 1890; the records from 1796 to 1883 were burned in 1883; and, when the question of rebuilding arose, no records were at hand to prove who constituted the parish, and confirmation of the present organization had to be asked of the Legislature.

Some missing records for which I advertised in the denominational papers in 1889 have been reported as not missing, and one church officer complains that "the stigma of carelessness should attach to his church." As the information that they were missing was furnished by the clerk, who is expected to be the custodian, the records were in the exact course which has led to the loss of so many; viz., an absence from their proper custody, which, while intended to be only temporary, results in their never being returned.

The "carelessness" was evidently called attention to in time in this case.

Search is in progress for other records, the loss of which has been brought to the attention of interested persons by the advertisements referred to. Some difficulty is met with in fixing the identity of records, from the fact that the local name of the church differs from the corporate name borne upon the records; and the changing of town boundaries and establishment of new towns, which has transferred churches from one town to another, has resulted in a consequent change of the local name. The information given in the following tables has been either verified, or received from sources which should be reliable. Information received concerning which doubt exists has not been presented.

The following table gives the church records reported as lost or unaccounted for in 1885, which are now in proper custody : —

CITIES AND TOWNS.	Denomination	Distinguishing Name	RECORDS	
			Kind	Years covered
BOSTON, . . .	Congregational,	Franklin Street, now Central,	Church,	1835-1840.
CAMBRIDGE, . . .	Unitarian, . . .	First Parish, . . .	1,	1,
Greenfield, . . .	Congregational,	Second, . . .	Parish,	1817-1861.
Lincoln, . . .	Congregational,	First, . . .	Church,	1747-1827.
Needham, . . .	Unitarian, . . .	First Congregational Society,	Church,	1729-1885.
Northborough, . . .	Unitarian, . . .	First Congregational Church and Society, . . .	Church, ²	1780-1839. ³
Pepperell, . . .	Congregational,	Congregational, . . .	Church,	1747-1885.
Rochester, . . .	Congregational,	North Rochester, . . .	Church, ⁴	1789-1885.
Stockbridge, . . .	Congregational,	First, . . .	Parish,	1793-1885.
Weymouth, . . .	Congregational,	Weymouth and Braintree, . . .	Church, ⁵	1760-1849.
			Parish, ⁶	1739-1837. ⁶
			Parish, ⁶	1810-1867.

Information in addition to, or in correction of, that reported in 1885 in regard to records of existing churches, has been obtained as follows : —

Agawam. The records of the Feeding Hills Congregational Church from 1758 to 1836, reported as in possession of the town clerk, are the records of the original parish of Agawam.

¹ This is a book called the "Church Book," beginning in 1637 or 1638, and containing miscellaneous records.

² A copy is being made by the town clerk.

³ The records from 1746 to 1779 were burned in the house of the pastor.

⁴ These records prior to 1841 were reported as burned.

⁵ In the town records.

⁶ This volume was reported as lost.

Beverly. A copy of the first volume of church records of the First Parish, Unitarian, from 1668 to 1772, and the original second and third volumes from 1772 to 1818, are in the town vault for safe keeping.

Boston. The parish records of the First Parish, West Roxbury, from 1796 to 1883, were burned.

Brockton. The records of the First Congregational Parish, called the records of the North Precinct (or parish) of Bridgewater, from 1739 to 1852, are in the city vault for safe keeping.

Chelmsford. A copy of the facts relating to Chelmsford, contained in the private records of Rev. John Fiske, is in possession of Mr. David Pulsifer of Boston.

Dedham. "The records of baptisms, marriages, and deaths and admissions to the church and dismissals therefrom, transcribed from the church records in the town of Dedham, from 1638 to 1845," except for the years from 1670 to 1724, for which time the records are lost, have been printed. The church records of the Third Parish, Unitarian, prior to 1879, were burned.

Duxbury. The first volume of church records of the First Church, Unitarian, is in the safe of the town clerk for safe keeping.

Freetown. Assonet Congregational: The earliest records are in possession of Mrs. Amy W. Brayton, Fall River.

Groveland. One volume of the records of the Orthodox Congregational Church in Groveland, from 1727 to 1794, and one from 1814 to 1848 while it was the Second Church of Christ in Bradford, and those of the church under its present name, from 1851 to 1880, are in the Congregational Library, Boston.

Needham. The church records of the First Congregational Society, Unitarian, cover the years from 1720 to 1890.

Plymouth. The church record of the Pilgrimage Congregational Church does not begin until October 18, 1698, although a summary of the church history from 1606 is included in the volume.

Stoughton. Some of the parish records of the Universalist Church, reported as intact from 1743, are said to be lost.

Topsfield. The records of the Congregational Church, from 1684 to 1725, copied from the records of Rev. Joseph Capen, have been printed.

Wenham. There is a copy of the church records of the Congregational Church, from 1643 to 1805.

The records of extinct churches are the property of the town in which they were situated, and to the recovery of such of those as were not in town custody I have given attention. By chapter 227 of the Acts of 1890, the clerks of the cities and towns are required to demand these records, and it is thought that more will be obtained, owing to this requirement.

The question of when a church legally becomes extinct should be settled, otherwise the records are likely to be retained by the persons who have them at the time the church discontinues services, and to all intents and purposes is extinct. The loss of the records of many of the extinct churches has come about in this way. An illustration of the difficulty in regard to this matter is furnished by the records of the extinct Baptist Church in Tyngsborough. Complaint was made to me that the records of this church were inaccessible, being in possession of Rev. A. A. Davis, at East Enosburg, Vt. He was the last clerk, and retains them by vote of the church, and gives letters of dismissal when requested. Upon my request that they be returned to the town clerk of Tyngsborough, he asked, in good faith, if his office as clerk had become void; if not, he considered it his duty to hold them. I could not answer, as there is no record of the dissolution of the church except such as may be in his own possession, although it would seem that his removal from the State should terminate his office, and that the records should be placed in the custody of the town clerk, he having no successor. The statute provides that, when a recording officer of a *business* corporation ceases to become a resident of this State, his office shall become vacant.

Provision should be made for the legal dissolution of every incorporated religious society after it has ceased to hold regular meetings for public worship for a term of years to be fixed by statute, with a further provision, perhaps, that, in event of reorganization under its old name, its records shall be restored.

The printing of the list of the extinct churches has led to the reporting to this office of the additional ones in the following table. The information in regard to the records has usually been lacking.

[The following abbreviations are used in this table: Bapt., for Baptist; Cong., for Congregational; Evang., for Evangelical; M. E., for Methodist Episcopal; Soc., for Society; Unit., for Unitarian; and Univ., for Universalist. The use of the dash signifies that the information is wanting. The asterisk preceding a date signifies that it is the nearest date furnished.]

CITIES AND TOWNS.	Denomination	Distinguishing Name	Year in which Organized	Year in which Terminated	RECORDS	
					Years covered	In Possession of—
Ashby, . .	Cong., .	Calvanistic Cong. Soc.,	1819	1885	-	-
Blandford, .	Prot. Epis., ¹	-	-	-	-	-
Boston (Dorchester), .	Univ., .	-	-	*1830	-	-
CAMBRIDGE, .	Cong., .	New Brick, .	1719	1779	-	Second Church, ² Cong. Library, Boston.
		E. Cambridge Evang. Cong.,	{ 1842	{ 1876 }	{ *1842-1876 } { *1851-1876 }	
Duxbury, .	M. E., .	-	-	-	-	-
Mattapoisett, .	Bapt., .	-	-	-	-	-
Needham, .	M. E., .	-	*1799	1860	-	-
			1779	6-	-	-
Sandwich, .	Univ., .	Sandwich Univ. Soc.,	1845	1856	-	-
Townsend, .	Unit., .	Townsend Harbor, .	-	-	-	-
Tyngsborough, .	Bapt., .	-	*1835	*1860	-	Rev. A. A. Davis. ⁸
Watertown, .	Univ., .	-	-	-	-	-

For the following churches reported as extinct in 1885 the claim is made, usually by the person holding the records, that the church still keeps its organization.

Alford,	Methodist Episcopal.
Charlemont,	Unitarian.
Fairhaven,	Congregational.
Halifax,	Baptist.
Lee,	American M. E. Zion.
Middleborough,	Central Baptist Society of Lakeville. ⁹
Tisbury,	South Tisbury Baptist.

Records of the following extinct churches, which were reported in 1885 as in private hands, have been placed in possession of the clerks of the respective cities and towns:—

Abington,	Second Advent.
Belchertown,	South Belchertown M.E.
Bolton,	Hillside Congregational. ¹⁰
Boston,	First Universalist. ¹¹

¹ The society organization is continued.

² Boston.

³ Church.

⁴ Society.

⁵ Edifice built.

⁶ Known to have been in existence in 1784.

⁷ Records burned about 1865.

⁸ East Enosburg, Vt.

⁹ See following table.

¹⁰ Church records.

¹¹ This is the last volume of the society records, from March 9, 1859, to July 25, 1864. The preceding volume is in Tufts College Library.

Boxford,	Third Congregational.
BROCKTON,	Second Congregational Society of North Bridgewater.
CAMBRIDGE,	Second Congregational.
Essex,	Christian Society.
Georgetown,	Universalist.
Granby,	West Parish Congregational.
Groveland,	Baptist.
Lancaster,	Universalist.
Lawrence,	Central Congregational Society.
Leicester,	Wesleyan Methodist.
Marblehead,	Third Congregational.
Marion,	Methodist Protestant.
Middleborough,	Central Baptist of Lakeville.
Millbury,	West Millbury Congregational.
Milford,	South Milford Baptist.
Mount Washington,	Congregational
Nantucket,	Pleasant Street Baptist.
Rutland,	Methodist Episcopal.
Spencer,	First Baptist.
Sterling,	Universalist.
WALTHAM,	First Universalist Society.

Information in addition to, or in correction of, that reported in 1885 in regard to records of extinct churches, has been obtained as follows : —

Berlin. An extinct church reported in 1885, name and denomination not being given : The minister and most of the members went to the War of the Rebellion. George E. Johnson, who had the records, died about 1884, and his personal effects were sold at auction, and these records are thought to have been among them.

Boston. Bowdoin Street Congregational Church : Church records reported burned in the Boston fire in 1872 are in the Congregational Library in Boston. They consist of eight bound volumes and five pamphlets, in good condition. It may be that the society records were burned.

Church of the Saviour ; Unitarian : Records in possession of Second Church, Boston.

First Universalist Church : One volume of society records, from March 23, 1834, to March 27, 1859, has been sent to the city clerk. The succeeding volume is in Tufts College Library.

Salem Street Congregational Church : Church records from

1827 to 1866, society records from 1835 to 1867, and pew records from 1830 to 1846, are in the Congregational Library, Boston.

Salem and Mariners Congregational Church: Church records from 1866 to 1879 are in the Congregational Library, Boston.

Dennis. First Congregational Church: Mr. Samuel P. May of Newton has a copy, made by himself, of the first volume of the records of this church, which was formerly the Second Church of Yarmouth, known as the "East Precinct," covering the years from 1727 to 1809. The last pages of the first volume have disappeared, and are supposed to have contained the record of some three hundred and twenty baptisms, between June 29, 1734, and April 5, 1752, taking the number of baptisms given in Freeman's history of Cape Cod as authority. These missing pages would seem to have been lost since Freeman saw the book.

Hancock. Second Baptist Church: The records are in the volume in which the present Baptist church keeps its records.

Southborough. Unitarian Church: The records reported in 1885 as in possession of members of the church *have since been burned in a dwelling-house.*

Swansea. Six Principles Baptist Church: Records cannot be found, and it is thought that they are in the records of the present Baptist Church.

TAUNTON. Universalist Church: Records are in the library of the Old Colony Historical Society, Taunton.

Washington. Congregational Church: Records were loaned by the person having them in charge, and are now missing.

Wellfleet. Methodist Episcopal: Church edifice was built in 1835, and sold about 1867. A list of subscribers is the only matter of record known to exist.

COURT RECORDS.

The offices of the clerks of the courts in Dukes County and Nantucket have now been visited, and all records were found in vaults. Dilapidated pages in the old volumes in Dukes County had been repaired and renovated, probably by the late Richard L. Pease, who also put into the form of a volume in the clerk's office a collection of papers containing, in addition to the records reported as there in the first report of this commission, the record of the meeting of the

“Governor and Assistants at a General Court at Martha’s Vineyard, sitting at Edgartown July 2, 1674;” of “His Majesty’s Court,” Dec. 9, 1674, and Jan. 8, 1675; of a “Quarter Court at Edgartown,” March 28 and Sept. 28, 1675, and of courts of sessions and county courts for years following.

The records in Nantucket are in unusually good condition, the files appearing to be complete and in order from the date of earliest record, 1721. In addition to the volumes of the records of the court of general sessions of the peace reported in the first report, there is a volume beginning Oct. 6, 1807, and continuing to October, 1827. A record of the county commissioners (*sic*) follows, beginning April 21, 1828, which has been continued to date. The volume covering the period after May 2, 1883, to May 7, 1888, is lost, having been, probably, intentionally destroyed.

These records, called county commissioners’ records, were not reported in the first report because Nantucket County has no commissioners under the statute, and no record was looked for by the examining agent of this commission.

In Suffolk County the work upon the court files in the clerk’s office of the supreme court continues. The papers for the past one hundred years, from 1629 to 1730, have been repaired, mounted, bound, and indexed, making 219 volumes. A catalogue of the records and of these volumes has been issued during the past year.

There is now in the office an unbroken series of the records of the highest court, from 1673 to 1890, — the court of assistants from 1673 to 1692, the superior court of judicature from 1692 to 1780, and the supreme judicial court from 1781 to 1890. The clerk hopes soon to print in one volume the parts of the records of the court of assistants previous to 1673, which can be anywhere found, the volume for that period having been missing for an indefinite time. Of the early files of court and miscellaneous papers the clerk says : —

This collection of papers is made up from what were once the files of the various courts of the Colony and Province of Massachusetts Bay, held in the county of Suffolk; of the superior court of judicature, held in the several counties; and of the supreme

judicial court, prior to the present century; together with some miscellaneous papers and records.

The greater portion of this collection, numbering some two hundred and fifty thousand papers, has been floating about for a century and a half, from one place of deposit to another, — cellars, attics, chests, drawers, and other places in various public buildings, — becoming, in the course of years, utterly confused and much injured by neglect and careless handling. In this way large numbers of papers have undoubtedly been lost or destroyed.

Still, what now remains constitutes an accumulation of material for historical, genealogical, and topographical inquiry unequalled by any other, unless it be the State Archives at the State House. Various papers have been discovered among them which have been unsuccessfully sought for both here and abroad for years.

Perhaps one of the most valuable features of this collection is the direct and varied light which the papers throw upon the methods of procedure and the forms of process used in different periods of our early history, and the construction put upon the laws by counsel of eminence. Here are preserved, in copies or originals, judgments of the courts, special verdicts, reasons of appeal, pleadings, and various other papers, which, in many cases, may furnish the only means of knowledge in this direction, and must of necessity prove of great interest and value to students of jurisprudence.

In this respect the collection is unique, in that it forms a nearly complete and consecutive series, covering the colonial and provincial times.

All the papers previous to 1730 have been almost completely restored to their original file arrangement, and where this has been impossible they have been arranged chronologically. They have been repaired, restored, and mounted in bound volumes, making a collection of two hundred and sixteen volumes of files, two of plans, and one of births, marriages, and deaths, comprising in all about eighty thousand papers. They are of great value historically, in innumerable respects, as illustrating the development and growth of our jurisprudence, methods of legal and judicial practice, legislation, etc.

All the papers belonging to the court files, previous to 1730, were utterly confused and had entirely lost their original arrangement, a part of them being in the office of the clerk of the supreme court, and a part in the office of the clerk of the superior court, without any special reason for being in one rather than in the other, and being incapable of any systematic division.

It was therefore thought best to unite all these in one consecutive series, arranged chronologically. Accordingly the few court

files of this sort remaining in either office, as well in superior court as in supreme court, were put in the great collection of miscellaneous papers referred to above.

The papers from 1730 to 1800 are now being arranged and mounted, and an index is being prepared. They will make four hundred volumes or more. It is believed that they will be found full of valuable material for the history of the towns of both Massachusetts and Maine, and will throw light upon many important subjects, such as the Indians, building of bridges, roads, public works, lotteries, manufactures, etc., conveyancing and matters relating to old French wars, and to the American Revolution.

RECORDS IN REGISTRIES OF DEEDS.

In the second report I said I had visited the registries of deeds in the shire towns excepting Edgartown and Nantucket. The statement should have been in shire towns having the registry of probate and office of the clerk of the courts located in them. I have now visited all, including those in Adams, Great Barrington, New Bedford, Edgartown, Lawrence, Lowell, Nantucket, and Fitchburg, and find the records in good condition. Those in New Bedford, Edgartown, and Nantucket are in vaults, and are absolutely safe from fire, while the register's office in Lawrence is fire-proof.

In most of the older registries there are volumes which are becoming illegible, and should be copied as provided by section 7 of chapter 37 of the Public Statutes.

The copying of all records in the Middlesex Southern District Registry at East Cambridge, relating to lands in towns in the jurisdiction of the Middlesex Northern District Registry at Lowell, was authorized by the Legislature, the copies to be placed in the latter registry, and addition has been made to that registry during the past year for their accommodation. About two hundred volumes of copies have been made, and the copying is well toward completion. The records for each town have been placed in volumes by themselves, and will be placed in Lowell as soon as a general index covering all the volumes is prepared.

By chapter 158 of the Acts of 1890 the copying of the records of all deeds and plans of land in the Bristol North-

ern District Registry at Taunton are to be made to be placed in the Southern District Registry at New Bedford. The work preliminary to copying is well advanced and the copying will soon be commenced.

In the Berkshire Southern District Registry at Great Barrington the copying of the proprietors' records of towns in the district is being carried on, several volumes having already been copied.

In the Middlesex Northern District Registry at Lowell all the plans which were in bad condition have been renovated, and all plans are now placed in order. This office has been refitted with metal roller shelving, which must prove an advantage to the records both as regards wear and safety.

In the Suffolk Registry all plans on file are being copied and bound, reduced if necessary to conform to the size of the volumes.

In all the registries more or less work is constantly being done upon indexes, and, although certain forms are prescribed by statute, many of the registers have made more complete indexes and improved upon them. This results in the want of uniformity, and it seems desirable that a uniform system should be fixed upon by some person or persons conversant with these records. A few of the registers foreseeing the establishment of a system, are awaiting it before commencing upon indexes to their older volumes. It seems highly important to me that the evidence of the recording officers themselves should be obtained by the Legislature when changes pertaining to their records are contemplated. The addition of great numbers of foreign names to the indexes, the various spellings of these names by different persons preparing legal papers, and the Anglicizing of the name after a foreigner has been several years in this country, are serious difficulties, and impair the value of the indexes; and, in the establishment of any system of indexing, the opinions of the registers upon this particular point must be valuable.

The provision for room for the rapid accumulation of the records, especially in the larger registries, is becoming a serious problem, and any plan for reducing the bulk of the volumes is worth consideration. A large part of the rec-

ord now consists of verbiage which might well be done away with. A statute provision similar to that in New York for a foreclosure sale under every mortgage would render unnecessary a provision for sale in mortgage deeds, and greatly reduce the matter recorded, and other abbreviations could doubtless be made without detriment to the form of instruments recorded.

The copying for one registry from another which had prior jurisdiction accomplishes three purposes, and should be done in all cases. It secures duplicates, which is a gain in safety; includes in the copies many deeds which, to preserve them, must otherwise soon be copied for the older registry; and is a saving to the community by reason of greater convenience.

The county commissioners have within the past year purchased and placed in the Essex Northern District Registry at Lawrence fifteen volumes containing abstracts of titles from a very early date to lands now included within the limits of the city of Lawrence, prepared by the late law firm of Harmon & Briggs, together with four volumes of indexes. They have procured also copies of all plans relating to this district which were on file in the Southern District Registry at Salem.

PROBATE RECORDS.

I have visited for the first time the registries of probate at Edgartown and Nantucket, and in both places find all records kept in vaults and in excellent condition, many volumes in Edgartown having been rebound. The registries in Pittsfield, Greenfield, Cambridge, and Boston have been revisited.

Work is being done upon the indexes to the old volumes, and the comments upon the indexes in the registries of deeds will apply in the registries of probate. Uniformity should be established, and the policy of an allowance from the Commonwealth to carry on this work as provided in Hampshire and Plymouth counties should be extended to all the counties having incomplete indexes.

In Suffolk County a new index has been completed during the year, which covers all records from 1636 to 1885. The

wearing out of the two series of indexes which covered this period made this necessary. The printing of these indexes will, sooner or later, be conceded to be a matter of economy.

The new fire-proof building for the registry at Cambridge has been occupied since July, and the increased accommodation enables the register to keep the files under lock and key, — two steps toward their security.

The insecurity of the files in the probate offices, referred to in my last report, impresses me at each visit. His Excellency the Governor considered this matter of sufficient importance to call the attention of the last Legislature to it in his annual message; but no legislation was enacted. That some system should be established, even at the expense, in the larger registries, of a clerk who should be custodian of the files, seems important. The penalty for stealing or mutilating wills does not extend to autograph collectors unless a "fraudulent purpose" can be proved.

The serious consequences which would follow the destruction of both wills and copies in a registry has suggested the idea that they be kept in separate places, the wills possibly in an adjoining county, and I transmit the suggestion.

TOWN CLERKS.

After the experience of another year, I am fully convinced that legislation is needed in the matter of town clerks and their offices which shall reform the whole system of the custody of town records. In saying this I fully appreciate the remark of Chief Justice Parsons, that "it is dangerous to attempt being wiser than the law;" but I feel sure that much of the law is as it is because the defects in the system have not been pointed out, such legislation as has been enacted from time to time having been to meet specific cases, without due regard to the general system. In all legislation in regard to matters of record the Legislature has assumed that the towns have an "office of the town clerk," in the sense generally applied to the term office; that is, a place where the clerk, with the records of the town, all of which the statutes require shall be in his custody, can be found in person or by representative during the "suitable hours" when the statute requires he shall have

the records open to inspection. There are few towns where such an office exists. If the clerk has an office properly equipped and open in business hours, he has, as a rule, no records in his custody and with which he is familiar except the records written by the successive clerks; those of the selectmen, assessors, school committee, and other officers being in their custody, and often at a long distance from the clerk's office. In some visits of inspection I was unable to gain access to any of the records, and I found that I was liable to take a long journey to a small town for naught unless I sent word of my intended visit, and in many cases where the clerk could exhibit *his* records I was unable to see others. A citizen making a long journey to a town under the impression that the records would be open to his inspection at "suitable hours," only to find them inaccessible, has just cause of complaint for the time and money wasted.

Under the present system, the competent clerks cannot be expected to maintain such an office as the statutes require; and, unless a change is made in this matter, suitable men cannot be found to take the office of town clerk, and the result will be a general deterioration of the office and records.

In many towns the town building is a long way from the centre or centres of population, and cannot be conveniently reached. For this reason, if there is a safe or vault in the building, the records are not kept in it, but are at the clerk's house or store, not in a safe. This should not be, and either a safe should be provided in a convenient locality, or the clerk should be allowed for time and transportation in going to the safe. Some of the best clerks will give up the office if this matter is not arranged, as I shall insist that the custom of keeping the records out of the safe be discontinued.

There are three classes of clerks: —

First. Those who are perfectly competent, and have their office and records as nearly models as the room and conveniences will allow. Many of them hold the office at much personal inconvenience and considerable expense, because of a patriotic interest in the records, and because of the almost certainty that for the present compensation

successors cannot be found who will have that interest, and keep the office up to their standard. These should be properly compensated and continued in office.

Second. Those who, while competent, have had the office forced upon them against their desires, because their houses or places of business were centrally located, or there seemed some benefit to be derived by the town, often by the saving of rent of a separate office, and the use of the clerk's own safe. They are generally busy men, who have no interest in the work, and are looking for the opportunity to unburden themselves from its annoyances. These should be allowed to retire.

Third. Those who, from natural unfitness for clerical methodical work, are wholly incompetent. These should not be continued in office.

In considering this subject I argue for clerks of the first class, of whom plenty could be found if they could afford to take the office. It is the custom in most of the towns, where anything is paid beyond the fees, for the selectmen to appropriate a certain sum to the clerk, or to approve a bill rendered by him at the end of the year, if they think it reasonable. It would seem in either case that a payment is illegal under the decision in *Sikes v. Inhabitants of Hatfield*, 13 Gray, 347. The court in that case held "that there is no such relation between a town and the officers which it is required by law to elect as will oblige it to make compensation to them for the discharge of ordinary official duties, where no provision for any compensation is made by law, and in the absence of any contract." However this may be, the clerk should not be beholden to the selectmen for the amount of his compensation, and under this system clerks of the first class are giving up the office.

Astonished to find that many of the clerks were receiving nothing but fees, I addressed a circular to every clerk, asking what the town allowed him for keeping the records, aside from any work which might be done by any other person. The amount received from fees was not asked, as those are much more than earned, and the inquiry was to ascertain what was received for, as town clerk only, work paid for by the town. Of the 326 clerks, 58 did not reply, and one gave no amount

received. Of the others, 82 received no compensation; 24 charged by the hour or day, and presented a bill to the selectmen for approval, receiving prices ranging from 12½ to 30 cents per hour, and from \$1.50 to \$2.50 per day, the total amount received not being given; 23 received from \$5 to \$10; 20, from \$11 to \$15; 10, from \$18 to \$20; 19, \$25; 17, from \$30 to \$40; 21, \$50; 2, \$60; 6, \$75; 15, \$100; 1, \$125; 1, \$150; 3, \$200; 3, \$250; 4, \$300; 2, \$500; one of the latter having received, however, but \$100 until 1889. In fourteen of the towns the clerk held the office of treasurer and collector, or both, or acted as clerk of all boards, or was required to do special work under the town by-laws, and the amount received as clerk could not be separated. The amounts received by these varied from \$100 to \$250; one, however, receiving \$1,000. One town with about 8,000 inhabitants paid nothing; one with 11,000 paid \$50; 3, of from 8,000 to 10,000, paid \$100; while one, of about 6,000, paid \$200. One who received \$125, gave a bond of \$20,000, and handled \$60,000; and one who received \$150 had \$22,000 pass through his hands.

The amount and kind of work done by the clerks varies even more than the compensation. Some extend their records at great length, recording reports of committees, returns of votes, and all matter which may become of value, while others simply file reports and returns, a few doing neither. Some even of those longest in service say that, in the absence of statute provision, or by reason of apparent contradictions in the statutes, they do not know their duties.

The decisions in *Judd v. Thompson and Others*, 125 Mass. 553; and *Howard and Others v. Stevens*, 3 Allen, 409, have been relied upon by some of the clerks as their authority for omitting much that others have recorded. In the first case, the court said, "It is the duty of the clerk to record all votes and transactions of the meeting. He should record the votes as declared by the moderator;" and some clerks have done this, and no more. In the second case the court held that it "was sufficient that the vote of the town, accepting the report of the committee, was duly recorded, and that the report was on the files of the town. The clerk of a town is not required by law to record the report of

committees; his duty is discharged by recording the votes passed by the town." The laxity in regard to the files has resulted in the absence of reports from the "files of the town," and in many towns where this decision was relied upon the reports were not extended, and no record exists of many important ones now greatly desired.

Duties are being constantly imposed upon the clerks by statute for which no compensation is provided, and much information is asked of them by State officials which is not strictly required, but which it would be discourteous to refuse, and which, if my experience is a criterion, is, as a rule, cheerfully given. Much work is required in regard to the record of births, marriages, and deaths, which the Legislature evidently did not anticipate would be necessary when the fees were fixed for making these records. Physicians do not make their returns as promptly as the law requires, and often not at all, until urged and sometimes threatened; and, although the penalty for the neglect was increased a few years since, it has had little effect. Children not named when the return is made to the clerk move out of town, making correspondence, and work for other clerks, necessary if the record is to be completed. Undertakers are careless in their returns of burials, and clerks sometimes have to cross the State line to obtain the facts for record concerning persons taken across the line for burial.

The growing interest in genealogy, the custom of celebrating town anniversaries, with the attending historical addresses, and the established importance of matters of record, lead persons to consult the records much more than formerly. When this is done in person, it requires the presence and time of the clerk to the exclusion of other duties, for he is obliged to exhibit his records at all reasonable times. When information is asked by correspondence, as is more often the case, it may result in hours or days of search on the part of the clerk; and for this work, as a rule, no offer of compensation is made, and it is seldom that a postage stamp is enclosed for the reply. So burdensome has this particular part of the work become, that, added to the statute requirements, it has driven some of the more competent clerks out of office. The persons making these

seemingly unreasonable demands have supposed, as has the Legislature, an office with the records kept as the statutes require,—that is, conveniently arranged and indexed; and, if they were so kept, the demands would not be unreasonable.

The applications for pensions put a great deal of work upon the town clerks, and, as the applicants are often widows or orphans, it is almost a custom for the clerks to refuse the fees if the applicant comes in person. If the application is sent by a claim agent, the clerk is often imposed upon, but cannot refuse the information asked without causing the applicant delay and expense. In one case a clerk who had previously furnished the information gratuitously, received a document with instructions to execute it before a notary public, and a fee of fifty cents was enclosed. The clerk drove four miles to the nearest notary (probably left the fee), and returned the document rather than put the claimant to further expense.

One clerk writes that a clerk needs to be the town historian; another, that he is expected to be the town directory. The radical changes in the election laws require much careful study on the part of the clerks, and, as a clerk of long experience says, "The legal working of the entire town meeting is dependent upon the integrity and fidelity of the town clerk." Another says, "A clerk is expected to come to the meetings fully advised upon all subjects to be acted upon;" and I fear it is the failure of the towns to elect and compensate clerks like the two quoted, that makes it necessary for the Legislature annually to legalize the action of town meetings. Forty special and two general acts to legalize town meetings have been passed since 1882.

Consultation and correspondence with the best of the clerks, some of whom have been in office for upward of thirty years, satisfies me that a speedy and decided improvement in the condition of the town records can be brought about:—

First. By fixing for every town clerk a minimum compensation, which shall remunerate him for the work which every clerk must do, that amount to be increased upon a basis of population, as fixed by the last previous State census.

Second. By making the clerk's term of office three or five years, which would help to take the office out of politics and make the clerk a free agent, and encourage him to undertake work which cannot be completed in one year.

Third. By revising and adjusting fees, and requiring that all fees be covered into the town treasury.

Fourth. By making the clerk the clerk of all boards, and requiring him to keep informed upon all new legislation relating to town affairs, and have the undivided custody of all the records which the practical working of the town machinery now prevents.

That the multifarious duties required of a town clerk may be known, and the importance of the office appreciated, and also that the clerks may have at hand a statement of them, I append a summary of the statute provisions regarding them. The duties required by the provisions marked with an asterisk (*) are contingent upon the application of the Act to the town.

He shall have the custody of:—

All records and documents belonging to the town. [P. S., c. 37, § 12.]

All books of record and other documents of the ancient proprietors of townships or common lands, when such proprietors have ceased to be a body corporate. [P. S., c. 37, § 14.]

The records and registers of a church or religious society which has ceased to have a legal existence. [P. S., c. 37, § 15.]

The records which, after final division of the common property of proprietors of wharves, general fields, and real estate lying in common, the proprietors may deposit with them. [P. S., c. 111, § 18.]

The indenture made by the selectmen or overseers of the poor, binding a minor as an apprentice. [P. S., c. 149, § 6.]

The bond given by the master of a minor apprentice, if the minor has no friend or guardian. [P. S., c. 149, § 9.]

The ballots for jurors, which he shall keep in a box kept for that purpose. [P. S., c. 170, § 8.]

*The ballot boxes and ballot-box seals which shall be returned to him by the warden of each precinct. [1890, c. 423, § 89.]

*The precinct seal, and the records of the precinct, and other documents which the precinct clerk shall deliver to him. [1890, c. 423, § 89.]

He shall record : —

The proceedings after the perambulation of town lines and the renewal of marks. [P. S., c. 27, § 3.]

The appointment of the keeper of the lock-up. [P. S., c. 27, § 33.]

All votes passed at the meeting at which he is elected, and at all other meetings held during his continuance in office. [P. S., c. 27, § 95.]

All the facts required by the statutes concerning the births, marriages, and deaths in the town, separately numbering and recording them in the order in which he receives them. [P. S., c. 32, § 1.]

In a book kept for the purpose, the copy of the proceedings at the meeting at which a corporation of proprietors of meeting houses was organized, which the clerk of such society has left with him. [P. S., c. 38, § 29.]

The attested copy of the proceedings at the organization of a society of the Methodist Episcopal Church. [P. S., c. 38, § 47.]

In a book kept for the purpose, within ten days of its transmittal, the description of the location and bounds of any highway within the limits of the town, laid out, altered, or discontinued by the county commissioners. [P. S., c. 49, § 9.]

The laying out or altering of a town way or private way by the county commissioners, and the acceptance of the same. [P. S., c. 49, § 74.]

In a book kept for the purpose, within ten days, a description of the location and bounds of any town way or private way laid out by the selectmen, or road commissioners, which they shall transmit to him. [P. S., c. 49, § 80.]

Within ten days, the certificates of the selectmen or road commissioners, of the location and bounds of any street, road, or way, which they have investigated and located. [P. S., c. 49, § 97.]

The places at which guide posts shall be erected and maintained. [P. S., c. 53, § 31.]

Within thirty days, the return of the doings of the board of health or the health officer in the matter of the abatement of a nuisance. [P. S., c. 80, § 33.]

The license granted by the selectmen to plant, grow, and dig oysters at all times of the year, upon and in any flats and creeks. [P. S., c. 91, § 98.]

In a book kept for the purpose, the notice given him by the finder of lost money or goods. [P. S., c. 95, § 1.]

In a book kept for the purpose, the notice given him by a person who takes up a stray beast. [P. S., c. 95, § 2.]

Licenses for the sale of intoxicating liquors in the town. [P. S., c. 100, § 5.]

Licenses for steam engines, furnaces, boilers, etc. [P. S., c. 102, § 40.]

Licenses for dogs issued by him, with the names of the keepers or owners of the dogs licensed, and the names, registered numbers, and description of all such dogs. [P. S., c. 102, § 84.]

Licenses for steamboats on inland waters. [P. S., c. 102, § 121.]

In a book kept for the purpose, licenses granted to keepers of intelligence offices; dealers in junk, old metals, and second-hand articles; pawn brokers; and keepers of billiard saloons, pool or sippio rooms or tables, and bowling alleys. [P. S., c. 102, § 124.]

Specifications and decisions of the selectmen in regard to the location, height, and kind of posts to be erected by corporations transmitting intelligence by electricity. [P. S., c. 109, § 3.]

Notices of intentions of marriage. [P. S., c. 145, § 16.]

All marriages returned by justices of the peace, ministers, clerks, or keepers of records of meetings of Friends or Quakers. [P. S., c. 145, § 24.]

In a book kept for the purpose, upon payment of his fee, every certificate filed by a married woman, doing or proposing to do business on her own account. [P. S., c. 147, § 12.]

Within two months after the same is made, the petition to the county commissioners for a roadway to a swamp, quarry, etc., together with the order or award thereon. [P. S., c. 189, § 26.]

Certified copies of the orders of county commissioners in the matter of alteration, repairs, or changes of grade of ways, which would enable a petitioner to raise, erect, and maintain a dam. [P. S., c. 190, § 44.]

In a book kept for the purpose, upon payment of his fee, all mortgages of personal property delivered to him, noting in such books and on each mortgage the time when such mortgage is received.¹ [P. S., c. 192, § 4.]

The notice to a pledger that the holder of personal property in pledge intends to enforce payment by the sale of the pledge, together with an affidavit of the service of the notice. [P. S., c. 192, § 10.]

In a book kept for the purpose, a statement of the action filed by a person putting a lien upon a vessel. [P. S., c. 192, § 15.]

¹ Mortgages of personal property shall be recorded on the records of the town where the mortgagor resides when the mortgage is made, and on the records of the town in which he then principally transacts his business or follows his trade or calling. If the mortgagor resides out of the Commonwealth, his mortgage of personal property, which is within the Commonwealth when the mortgage is made, shall be recorded on the records of the town where the property then is. [1883, c. 73.]

Regulations made by the board of health of the town in regard to contagious diseases amongst cattle. [1887, c. 252, §§ 3, 4.]

A full description and designation of the witness marks and monuments made and set up by order of the county commissioners, to indicate the position of the original marks or monuments set up by the commissioners on the topographical survey of the State. [1888, c. 336, § 4.]

Certified copies of deaths of residents, or births of children whose parents were residents of his town, which shall be transmitted to him by the clerk of other cities or towns. [1889, c. 208.]

In a book provided by the insurance commissioner, all the facts relating to fires which the board required to make investigation thereof shall return to him. [1889, c. 451, § 1.]

In a book kept for the purpose, the certificate filed by the owner or keeper of a stallion for breeding purposes. [1890, c. 334, § 1.]

*The number of ballots printed and furnished for a town election. [1890, c. 386, § 8.]

*Forthwith, the certified copy of the records of a State election which have been delivered to him by the precinct clerks. [1890, c. 423, § 95.]

The fact that the sealed envelopes containing the ballots thrown at an election have been destroyed. [1890, c. 423, § 101.]

Within four days after the meeting of the clerks to determine choice of representatives, the return of the names of all persons for whom votes were given in his district, and the number of votes for each person. [1890, c. 423, § 152.]

The certificate filed by the moderator of a town meeting, giving the result of a recount of votes cast. [1890, c. 423, § 226.]

The state license of an itinerant vendor, upon the payment of a local license fee, and proof of the payment of all other such fees, if any, as are legally chargeable upon local sales; and he shall enter upon the license the words "local license fees paid," and affix his official signature, together with the date of such endorsement. [1890, c. 448, § 8.]

He shall file:—¹

Certificates of medical examiners, descriptive of every person whom they are called to view, with the cause and manner of the death. [P. S., c. 26, § 12.]

¹By some of the acts quoted, papers and documents are to be filed with the town clerk. By other acts, the clerk is required to file papers. Under either he should preserve the papers, and have them "filed and arranged conveniently for examination and reference." It is assumed that, if the statutes require that lists, papers, plans, etc., be transmitted to the town clerk, it is intended that they be preserved and filed.

Certificates of oaths of office taken before justices of the peace. [P. S., c. 27, § 96.]

Bonds of constables. [P. S., c. 27, § 113.]

The acceptance or refusal of the office of fireward. [P. S., c. 35, § 1.]

Certified copies of the votes of school districts which vote to unite, which have been sent by the clerks of the districts. [P. S., c. 45, § 52.]

The annual report of the school committee. [P. S., c. 46, § 8.]

The laying out or alteration, with the boundaries and measurements, of any town way or private way laid out or altered by the selectmen or road commissioners. [P. S., c. 49, § 71.]

The certificate of the selectmen or road commissioners of the location and bounds of any street, road, or way, which they have investigated or located. [P. S., c. 49, § 97.]

Plans and descriptions of all main drains and common sewers belonging to a town, with a true record of the charges of making and repairing the same, and of all assessments therefor. [P. S., c. 50, § 14.]

The list annually received from the assessors of all dogs owned or kept in the town. [P. S., c. 102, § 89.]

A copy of the record of the appointment of railroad police officers of every railroad corporation upon whose petition they were appointed, which draws cars by its own motive power in the town. [P. S., c. 103, § 14.]

The notice that a railroad corporation ceases to require the services of a railroad police officer. [P. S., c. 103, § 15.]

The written statement under oath of a person who has performed labor upon a railroad, and who claims right of action of the amount due for the labor performed in the town. [P. S., c. 112, § 145.]

The written notice of a person intending to furnish materials to a railroad corporation of his intention to claim the right of action for such material furnished. [P. S., c. 112, § 146.]

The acceptance of the extended location of a railroad track permitted by the selectmen. [P. S., c. 113, § 21.]

The certificate of declaration of marriage of parties living in this State married in another. [P. S., c. 145, § 21.]

A petition to the county commissioners for a roadway to a swamp, quarry, etc. [P. S., c. 189, § 26.]

The certified copies of the orders of county commissioners in the matter of the alteration, repairs, or changes of grades of ways, which will enable a petitioner to raise, erect, and maintain a dam. [P. S., c. 190, § 44.]

The sworn statement of a person claiming a lien upon a vessel,

giving a just and true account of the demand claimed to be due, and other information. [P. S., c. 192, § 15.]

All returns of births, marriages, and deaths, including all returns which were in the town clerk's office April 20, 1887. [1887, c. 202, §§ 2, 3, 4.]

A list returned by the assessors of the persons liable to enrollment. [1887, c. 411, § 7.]

A description of the position and marks of the triangulation points established by the commissioners upon the topographical survey and map of the State. [1888, c. 336, § 3.]

The receipt from the presiding officer of a voting place for the ballots sent. [1889, c. 413, § 18.]

The certificate of the owner or keeper of a stallion for breeding purposes, stating the name, color, age, and size of the stallion, together with his pedigree as fully as obtainable, and the name of the person by whom he was bred. [1890, c. 334, § 1.]

*Certificates of nomination and nomination papers for town officers, which shall be preserved for not less than one year, and be open to public inspection. [1890, c. 386, § 6.]

*The report of the selectmen relating to the establishment of voting precincts. [1890, c. 423, § 72.]

The written statement of ten or more qualified voters that they have reason to believe that an error was made in ascertaining or declaring the result of an election for town officers. [1890, c. 423, § 226.]

The certificate of the moderator of a town meeting, stating the number of votes cast for each candidate as determined by a recount. [1890, c. 423, § 226].

He shall index : —

All the facts required by the statutes regarding the births, marriages, and deaths in the town. [P. S., c. 32, § 1.]

All certificates filed by married women doing or proposing to do business on their own account, and of all similar certificates filed under previous laws. [P. S., c. 147, § 12.]

All instruments entered with him and required by law to be recorded. (This index shall be divided into five columns, with appropriate heads or titles, giving date of reception, the names of parties, and the book and page on which each instrument is recorded, and the same shall be open for public inspection.) [1885, c. 190, § 1.]

All the returns of births, marriages, and deaths made by per-

sons required to make them, including all which were in the office of the clerk April 20, 1887. [1887, c. 202, §§ 2, 3, 4.]

He shall certify as follows : —

Copies of the records made by order of the selectmen, which shall then have the force of originals. [P. S., c. 37, § 7.]

Copies of the records or registers of churches or religious societies which have ceased to have a legal existence. [P. S., c. 37, § 15.]

To the Secretary of the Commonwealth, within fifteen days after the day of an election for State or town officers, the total number of names of persons checked on the lists of voters as having voted at each town or voting precinct at such election. [1890, c. 423, § 109.]

He shall receive¹ or obtain : —

All information in regard to births, marriages, and deaths.² [P. S., c. 32, § 1.]

Notices of births or deaths from parents, physicians, sextons, etc. [P. S., c. 32, §§ 2, 3, 4.]

On or before the fifth day of each month, from physicians or midwives, a correct list of all children born in the town during the month next preceding at whose birth they were present, with the facts required for record. [P. S., c. 32, § 7, as amended by 1883, c. 158.]

From the Secretary of the Commonwealth, books for recording births, marriages, and deaths, and blank forms for returns. [P. S., c. 32, § 14.]

From the secretary of the State Board of Education, the blank forms of inquiry, the school registers, the annual report of the board, and his own annual report. [P. S., c. 41, § 7.]

Service of the copy of every petition for a new highway or alteration or discontinuance of an old within the town. [P. S., c. 49, § 3.]

¹ While the mere act of receiving may not always require labor or trouble, it often places a responsibility upon the town clerk.

² In the instructions concerning the registration of births, marriages, and deaths, issued to the town clerks by the Honorable Secretary of the Commonwealth, the following passage occurs: "A few of the clerks have inferred that the statute directing physicians, etc., to make returns of births, relieved them from the duty of canvassing, when it was only intended as an auxiliary; the law requires the clerks to obtain all the facts, otherwise the fee of fifty cents in each case would be manifestly excessive." Under these instructions, a complete canvass of the town by the town clerk is expected.

The notice required to be given by a person claiming damages for an injury upon a highway. [P. S., c. 52, § 21.]

The return of service by a constable of the copy of an order passed by the selectmen prescribing the disposition, alteration, or regulation of a burnt or dangerous building. [P. S., c. 101, § 1.]

The return of service by a constable of the order of the selectmen regulating steam engines, furnaces, etc. [P. S., c. 102, § 42.]

Money for dog licenses. [P. S., c. 102, § 84.]

Two dollars, for the use of the town, for each license issued to keepers of intelligence offices. [P. S., c. 102, § 124.]

Services of notice from the county commissioners of their intention to consider a petition for leave to construct roads, ditches, etc., to swamps, quarries, etc. [P. S., c. 189, § 21.]

If the town has no inspector of milk, the registration of every person intending to sell or offer for sale any article in imitation of butter. [1886, c. 317, § 5.]

Separately and at two different times the two sets of general and special ballots sent by the Secretary of the Commonwealth, together with the specimen ballots and cards of instruction printed by him. [1889, c. 413, § 16.]

The pamphlet editions of the laws for distribution. [1889, c. 440, § 3.]

One copy each of the series of Public Documents and other publications mentioned in sections 7 and 9 of chapter 440 of the Acts of 1889. [1889, c. 440, §§ 8, 10.]

In each town hereafter incorporated a full set of the decisions of the supreme court, a copy of the Public Statutes, and copies of all such documents in possession of the Secretary of the Commonwealth as shall have been previously furnished to the towns of the Commonwealth; provided, the clerk of such town shall file a certificate that the town has provided a suitable book-case for the same.¹ [1889, c. 440, § 12.]

He shall return or transmit : —

On or before the last day of April in each year, to the State librarian one copy or more of the annual report of the town, or of any special report relating to its income, expenditures, or other affairs. [P. S., c. 27, § 25.]

Within thirty days of the day on which the vote was taken, to the Secretary of the Commonwealth and to the Board of Railroad

¹ The statute requires that each town shall receive these, and the custom is to send them to the town clerk.

Commissioners, a certified copy of any vote of the town to subscribe for the stock of a railroad company, or to pledge its credit, or to grant aid to the same. [P. S., c. 27, § 99.]

Annually on or before the first day of March, to the Secretary of the Commonwealth, certified copies of the records of births, marriages, and deaths, which have occurred in the town during the year ending on the last day of the preceding December. [P. S., c. 32, § 10.]

Within thirty days after the vote on granting licenses for the sale of intoxicating liquors, to the Secretary of the Commonwealth, a true statement thereof; and annually in November make a return showing the number of licenses of each class issued, the amount received for the same by classes, and the number revoked, if any. [P. S., c. 100, § 5.]

To county treasurers, a sworn statement of the amount received for dog licenses. [P. S., c. 102, § 84.]

Within thirty days after a vote or action of the town upon its acceptance of an act or resolve, or within thirty days after the time prescribed for its acceptance or rejection, a statement of such acceptance or rejection, or that no action has been taken. [1883, c. 100.]

Annually in May, June, or July, to the Adjutant-General of the Commonwealth, a list of the enrolled militia in the town. [1887, c. 411, § 7.]

On the first day of each month, a certified copy of the record of all deaths and births recorded in the books of the town during the previous month, whenever the deceased person or the parents of the child born were resident in any other city or town in the Commonwealth, to the clerk or register of such city or town. [1889, c. 208.]

Except within the county of Suffolk, within seven days after the appointment or election and qualification of a constable, to the clerks of the courts of their respective counties the names of such constables. [1889, c. 384.]

Receipts to the Secretary of the Commonwealth for the two sets of general and special ballots, and cards of instruction, sent by him. [1889, c. 413, § 16.]

Annually, within fifteen days from the first day of January, to the Insurance Commissioner, a transcript from his book of record of the record of fires for each year. [1889, c. 451, § 1.]

* On the first day of every month, and also two days before every election, to the registrars of voters, a list, in towns which have been divided into precincts, of the names of all male persons over twenty-one years of age deceased within the preceding month,

or since the last time of sending such list, with the precinct, street, and number, if any, where such person last resided. [1890, c. 423, § 39.]

* Within ten days after the division of the town into voting precincts, or of any change in the number of such precincts, to the Secretary of the Commonwealth, a notice stating therein the number of precincts then existing in the town. [1890, c. 423, § 72.]

* Within ten days of the discontinuance of voting precincts in a town, to the Secretary of the Commonwealth, notice in writing thereof. [1890, c. 423, § 73.]

To the board of registrars of voters, check lists used at any election. [1890, c. 423, § 100.]

To the selectmen, statements filed specifying wherein the returns of votes made by them are deemed in error. [1890, c. 423, § 104.]

Such copies of the records of amended returns of votes cast as are provided for original returns. [1890, c. 423, § 104.]

Within ten days from the day of an election for electors of president and vice-president, representatives in congress,¹ governor, lieutenant-governor, councillors, senators, secretary, treasurer and receiver-general, auditor, attorney-general, commissioners of insolvency, sheriffs, registers of probate and insolvency, district attorneys or clerks of the courts, to the Secretary of the Commonwealth, copies of the records of the votes, attested by them, certified by the selectmen, and sealed up. In like manner within ten days after an election for county treasurer or register of deeds, to the county commissioners of their several counties, such copies of the records of the votes; and within ten days after an election for county commissioners, to the clerks of the courts of their several counties, such copies of the records of the votes; but in the county of Suffolk the return of votes for register of deeds shall be made to the board of aldermen of Boston, and in Revere and Winthrop the returns of the votes for county commissioners shall be made to the clerk of the courts for the county of Middlesex. [1890, c. 423, § 108.]

Within fifteen days after the day of an election for representatives in the general court, to the Secretary of the Commonwealth, attested copies of the records of the votes cast for all candidates for said office in each voting precinct, or in each town not divided into voting precincts. [1890, c. 423, § 155.]

Forthwith, to the moderator of a town meeting, a written statement of ten or more qualified voters that they have reason to

¹ The clerks, in making their returns of votes for representatives in congress, shall transmit them in envelopes expressing on the outside the district in which the votes were given. [1890, c. 423, § 166.]

believe that an error was made in ascertaining or declaring the result of the election. [1890, c. 423, § 226.]

He shall receive fees as follows :—

For obtaining, recording, indexing, and returning the facts relating to marriages occurring in the town, fifteen cents; those relating to births, fifty cents; for deaths returned to him by parents, physicians, sextons, and others, twenty cents for each of the first twenty entries, and ten cents for each subsequent. For each death not returned but obtained by him, thirty-five cents, as the same shall be certified by the Secretary of the Commonwealth. In towns containing more than ten thousand inhabitants, the aggregate compensation may be limited. [P. S., c. 32, § 12.]

For comparing and certifying all copies properly and correctly made, *reasonable fees*. [P. S., c. 37, § 13.]

For recording the copy of the record of the proceedings at a meeting at which a corporation of proprietors of meeting houses is organized, the same fees to which registers of deeds are entitled for like services. [P. S., c. 38, § 29.]

For recording a license to plant, grow, and dig oysters, fifty cents. [P. S., c. 91, § 98.]

For recording a license to sell intoxicating liquors, one dollar. [P. S., c. 100, § 5.]

For each dog license, twenty cents. [P. S., c. 102, § 84.]

For recording a steamboat license, one dollar. [P. S., c. 102, § 121.]

For recording certificates of married women doing or proposing to do business on their own account, the fees allowed for recording mortgages of personal property. [P. S., c. 147, § 12.]

For recording mortgages of personal property, the same fees allowed to registers of deeds. [P. S., c. 192, § 4.]

For recording the statement filed by a person putting a lien upon a vessel, the same fee as for recording mortgages of equal length. [P. S., c. 192, § 15.]

For entering notice of intention of marriage, and issuing the certificate thereof, and for entering the certificate of marriage filed by persons married out of the State, fifty cents, to be paid by the parties. For a certificate of a birth or death, ten cents.¹ [P. S., c. 199, § 16.]

For registering a person intending to sell any article in imitation of butter, fifty cents. (This is for the use of the town.) [1886, c. 317, § 5.]

¹ Doubt exists as to the meaning of this sentence.

For recording the certificate of the owner or keeper of a stallion for breeding purposes, twenty-five cents. [1890, c. 334, § 1.]

For services performed under the requirements of the act relating to elections, *suitable compensation*. [1890, c. 423, § 163.]

He shall give bonds : —

To his town for the faithful accounting of all moneys received by him for dog licenses and for the payment of the same, less his fees, into the treasury of his county. [1888, c. 320, § 1.]

He shall perform miscellaneous duties as follows : —

Forthwith, make a list of all the town officers elected or appointed who are required to take an oath of office, who have not been sworn by the moderator, and deliver it with a warrant to a constable, summoning such persons to appear and take the oath before him within seven days after such notice. [P. S., c. 27, § 87.]

Administer oath of office to all town officers who appear before him for that purpose. [P. S., c. 27, § 96.]

Note on every bond given by a constable the time when the same was filed. [P. S., c. 27, § 115.]

Furnish certificates for burial or removal from the town of human bodies, to undertakers, sextons, or others. [P. S., c. 32, § 5.]

Give public notice that he is prepared to furnish to all physicians and midwives applying therefor blanks for returns of births. [P. S., c. 32, § 8.]

Make such distribution of blank forms for returns of births, marriages, and deaths as the Secretary of the Commonwealth shall direct. [P. S., c. 32, § 14.]

Appoint and swear persons to ascertain and determine the amount for which a person is liable to another who impounds his beasts. If the amount determined is not paid within fourteen days after the notice of the impounding, he shall, upon application, issue a warrant to two disinterested persons, who shall determine the costs, charges, expenses, etc. [P. S., c. 36, §§ 34, 35.]

Make up and complete all records left incomplete by his predecessor, from the files and usual memoranda, as far as practicable. [P. S., c. 37, § 2.]

Keep in the safe provided by the selectmen all books of record or registry, and other important documents and papers belonging to the town, at all times except when they are wanted for use. [P. S., c. 37, § 4.]

Keep all records and files open for public inspection and examination, and allow any person to take copies thereof, and on payment of a reasonable fee compare and certify all copies. [P. S., c. 37, § 13.]

Demand the records and other documents of ancient proprietors of townships or common lands when such proprietors have ceased to become a body corporate. [P. S., c. 37, § 14.]

Deliver to the school committee the blank forms of inquiry and the school registers received from the secretary of the Board of Education. [P. S., c. 46, § 1.]

When the school committee fails to make either the returns or the report required by law, the secretary of the Board of Education shall notify the committee or the town clerk, and the committee or the clerk shall immediately cause the same to be transmitted to the secretary. [P. S., c. 46, § 9.]

Deliver to the secretary of the school committee, to be preserved, one copy of the reports of the Board of Education and of the secretary. [P. S., c. 46, § 12.]

Upon application, issue a warrant to two disinterested persons, to be appointed by him, requiring them to appraise lost goods or stray beasts. [P. S., c. 95, § 4.]

Sign every license for the sale of intoxicating liquors in the town. [P. S., c. 100, § 5.]

Deliver to a constable for service a copy of an order passed by the selectmen, prescribing the disposition, alteration, or regulation of a burnt or dangerous building. [P. S., c. 101, § 1.]

Deliver to a constable for service a copy of the order of the selectmen, regulating steam engines, furnaces, etc. [P. S., c. 102, § 42.]

Register, number, describe, and license every dog kept in the town. [P. S., c. 102, § 80.]

See that every license issued to the owner of a dog has a description of the symptoms of the disease in dogs known as hydrophobia. [P. S., c. 102, § 83.]

Make a certificate of the oath of a person who swears before him that he suspects a dog to be dangerous or mischievous. [P. S., c. 102, § 95.]

Sign all licenses granted to keepers of intelligence offices; dealers in junk, old metals, and second-hand articles; pawn brokers; and keepers of billiard saloons, pool or sippio rooms, and bowling alleys. [P. S., c. 102, § 124.]

Give written notice, in person or by leaving at the place of business designated in the license, to all intelligence-office keepers, etc., of the revocation of the license, and note the revo-

cation on the face of the record of the license. [P. S., c. 102, § 127.]

Deliver to parties intending to be joined in marriage a certificate under his hand, with the facts required by law. [P. S., c. 145, § 17.]

Attend, with the selectmen, at his office or some other place, the drawing of jurors. [P. S., c. 170, § 18.]

Give a permit for the removal of the dead body of a person who has died of a dangerous disease, but not until he has received from the selectmen of the town where the death occurred a certificate stating the cause of death, and that said body has been prepared in the manner prescribed. [1883, c. 124, § 2.]

Notify trustees of public libraries of their election. [1888, c. 304, § 3.]

In towns where there is no board of health, give permits for the burial or removal of human bodies. [1888, c. 306.]

Send to the election officers of each voting place, before the opening of the polls on the day of the election, one set of ballots duly prepared, sealed, and marked for such voting place. Upon the requisition in writing of the presiding election officer, he shall furnish the second set of ballots. [1889, c. 413, § 18.]

In case the ballots to be furnished to any town or voting place therein shall fail to be delivered, or after delivery shall be destroyed or stolen, cause other ballots to be prepared and furnished. [1889, c. 413, § 19.]

Deliver the pamphlet editions of the laws to such inhabitants as make application therefor. [1889, c. 440, § 3.]

Demand of the person having possession of them the records and registers of a church or religious society which has ceased to have a legal existence. [1890, c. 227.]

* Prepare all ballots for use in town elections. [1890, c. 386, § 7.]

* Provide full instructions for the guidance of the voters at town elections, as to obtaining ballots, as to the manner of making them, and the method of obtaining assistance, and as to obtaining new ballots in place of those accidentally spoiled; and shall cause the same, together with copies of sections twenty-seven, twenty-eight, twenty-nine, and thirty of chapter four hundred and thirteen of the Acts of the year eighteen hundred and eighty-nine, and any amendments thereof, to be printed in large, clear type, on separate cards, to be called cards of instructions. Also cause to be printed on tinted paper, and without the endorsements, ten or more copies of the form of the ballot provided for such election, which shall be called specimen ballots, and shall be furnished with the other ballots provided therefor. [1890, c. 386, § 10.]

* At least four days prior to the day of the election cause to be conspicuously posted in one or more public places a printed list containing the names and residences of all candidates to be voted for in the town, and any designation as provided in section five of chapter three hundred and eighty-six of the Acts of the year one thousand eight hundred and ninety, substantially in the form of the general ballot to be so used therein. [1890, c. 386, § 11.]

* Pack the ballots, together with the specimen ballots and cards of instructions printed by him, in sealed packages, with marks on the outside designating the number of ballots of each kind enclosed. [1890, c. 386, § 12.]

* Before the opening of the polls on the day of election, deliver the ballots to the ballot clerks, who shall receipt therefor, which receipt shall be kept in his office. Before the opening of the polls cause the cards of instructions to be posted at or in each voting shelf or compartment provided for the marking of the ballots, not less than three such cards and not less than five specimen ballots to be posted in or about the polling room outside the guard rails. [1890, c. 386, § 14.]

Serve as one of the registers of voters. [1890, c. 423, § 18.]

Except as provided, act as clerk of the board of registrars of voters; keep a full and faithful record of its proceedings, and procure the serving or posting of such notices as the registrars may require. [1890, c. 423, § 18.]

* In towns having less than three hundred registered voters constitute with the selectmen a board of registrars of voters, and perform all the duties and be subject to all the liabilities imposed by this act and acts in amendment hereof upon registrars of voters. [1890, c. 423, § 59.]

Direct the distribution to the voters at the polling places of the ballots furnished by the Secretary of the Commonwealth for voting upon the question of granting licenses for the sale of intoxicating liquors. [1890, c. 423, § 83.]

At the expense of his town provide therein places for the safe and suitable keeping of the ballot-boxes furnished by the Commonwealth; have the care and custody thereof; see that they are kept in good order and repair; and if any of them are lost, or irreparably damaged, at the expense of said city or town replace the same by similar ballot-boxes. [1890, c. 423, § 87.]

Send to the election officers of each precinct or of the town before the opening of the polls on the day of any State election, or meeting at which the ballot-box is required by law to be used, the ballot-box furnished by the Secretary of the Commonwealth,

with such ballot-box seals and other ballot-boxes as may be approved by the selectmen. [1890, c. 423, § 89.]

* Furnish to the clerk of each precinct a seal of suitable device, the design for which shall include the number or designation of the precinct for which it is furnished. [1890, c. 423, § 89.]

He and the selectmen or the election officers, as the case may be, with the assistance of the tellers, if any, shall receive, sort, and count votes cast at State elections; and as soon as the polls close shall proceed to canvass the votes. [1890, c. 423, § 95.]

* May furnish a copy of a check list after it has been used in any precinct, upon the application of not less than ten legal voters resident therein. Immediately upon such copy being furnished, the check list shall be again sealed up, with a new certificate attached, by which the identity and original condition shall be certified by a majority of the selectmen, or by him, as the case may be. [1890, c. 423, § 98.]

Preserve in his custody the check-lists used at any election for the same length of time as is required by law for the preservation of ballots. [1890, c. 423, § 100.]

If within thirty days next following the day of an election a person who received votes for any office at said election serves, by himself, his agent, or attorney, upon him a statement in writing claiming an election to such office, or declaring an intention to contest the election of any other person who has received, or who may receive, a certificate of election for the same, he shall retain the envelope containing the ballots thrown at such election sealed as provided by law, subject to the order of the body to which either of said persons may claim or be held to have been elected, or of the board required by law finally to examine the returns and issue certificates of election, or until such claim is withdrawn, or such election is decided by the authority competent to finally determine the same. In all such cases said body or board may order him to appear before them and bring with him the envelopes containing the ballots cast at said election. Said clerk shall appear according to said order. [1890, c. 423, § 103.]

Upon a recount of votes by the selectmen, upon their certificate, alter and amend such of the town and precinct returns as have been proved erroneous, and amend the town records in accordance with such amended returns. [1890, c. 423, § 104.]

He and the selectmen and election officers in towns and precincts composing a part of a representative district, in open town and precinct meetings shall forthwith, upon the vote of representative being recorded, make out under their hands, and seal up and deliver to their respective clerks, a true transcript of such record. [1890, c. 423, § 149.]

The clerks of cities, towns, wards, and precincts composing a representative district, shall meet at noon on the tenth day following an election for representatives at a place designated ; provided, however, that such clerks shall meet on the fourth day following an election for representatives to fill a vacancy. Such clerks shall examine and compare such transcripts, and ascertain what persons have been elected. If any error appears in the transcript or return, the clerks shall forthwith give notice thereof to the officers required to make the return, and such officers shall forthwith, in conformity to the truth and under oath, make a new return, which, whether made with or without such notice, shall be received and examined by said clerks within two days after the time appointed for the meeting ; and for that purpose the meeting may be adjourned not exceeding two days. No return shall be rejected when the number of votes given for each candidate can be ascertained. [1890, c. 423, § 151.]

At the meeting of clerks to determine choice of representatives, make out under his hand a complete return of the names of all persons for whom votes were given in the district, and the number of votes for each person. [1890, c. 423, § 152.]

Shall preside during the election of a moderator, if present. When so presiding, shall have the powers and perform the duties of a moderator. [1890, c. 423, § 215.]

When required to preside at town meetings, may appoint tellers to aid him in checking the names of voters or in assorting and counting votes ; shall swear such tellers to the faithful discharge of their duties, and make a record of the taking of such oath. [1890, c. 423, § 222.]

Within twenty-four hours after the filing of the certificate of a moderator of a town meeting, giving the result of a recount of the votes cast, cause a copy to be delivered to, or left at the residence of, the person declared in open town meeting to have been elected, and to the person who by such certificate appears to have been elected. [1890, c. 423, § 226.]

Keep all files and records relating to itinerant vendors in convenient form, and open for public inspection. [1890, c. 448, § 7.]

Whenever a person is liable therefor, and after demands made by the clerk of the town in which he is located, refuses or neglects to pay the license fee as an itinerant vendor, may in his own name, but for the use and benefit of such town, maintain an action of contract or trustee process therefor in like manner as for his own debt. [1890, c. 448, § 11.]

In many towns, in addition to the above duties, additional duty is imposed by by-laws. It is expected that

the clerk will carry out the provisions of the following section : —

Selectmen shall have all papers and documents duly filed and arranged conveniently for examination and reference. [P. S., c. 37, § 2.]

A duty to be performed jointly with others is required by the following section : —

When clerks of cities, towns, wards, and precincts composing a district, at their meeting for the purpose, ascertain that a representative is elected in their district, they or a majority of them shall make out duplicate certificates thereof, and shall transmit them within fifteen days after the day of election, one to the office of the Secretary of the Commonwealth, and the other by a constable or other authorized officer to the person elected. [1890, c. 423, § 154.]

He shall be subject to the following penalties : —

To a fine of not less than five nor more than fifty dollars for neglecting or refusing, within thirty days, to transmit to the Secretary of the Commonwealth and to the Board of Railroad Commissioners a certified copy of any vote of the town to subscribe to the stock of a railroad company, or to pledge its credit or to grant aid to the same. [P. S., c. 27, § 99.]

To forfeit not less than twenty dollars nor more than one hundred dollars for each refusal or neglect to perform any duty required of him in regard to the record of births, marriages, and deaths. [P. S., c. 32, § 12.]

To forfeit for each offence for neglecting or refusing to perform any of the duties prescribed by chapter thirty-seven of the Public Statutes, ten dollars. [P. S., c. 37, § 16.]

To a fine not exceeding one hundred dollars for refusing or wilfully neglecting to perform any of the duties imposed upon him by the provisions of chapter 102 of the Public Statutes, relating to dogs. [P. S., c. 102, § 104.]

To forfeit not exceeding one hundred dollars for issuing a certificate of marriage to a male under twenty-one, or to a female under eighteen, when he has reasonable cause to suppose the person to be under that age, except upon application and consent in writing of the parent, master, or guardian of such person. [P. S., c. 145, § 18.]

To a fine not exceeding twenty dollars for neglecting any of the

duties required of the clerk in connection with drawing of jurors whereby they are not drawn and summoned. [P. S., c. 170, § 45.]

To a fine not exceeding five hundred dollars for fraud in the drawing of jurors. [P. S., c. 170, § 47.]

To a fine not exceeding twenty-five dollars for improperly giving a burial certificate. [1887, c. 335.]

To pay the amount with damages and interest of his official bond for neglecting to pay to the county treasurer the money due for dog licenses. [1888, c. 320, § 2.]

To pay a fine of not less than five dollars nor more than one thousand dollars, or be imprisoned in jail for not more than one year, or by both, for wilfully neglecting to perform any duty imposed upon him by the ballot act, or by wilfully performing it in such a way as to hinder the objects of the act. [1889, c. 413, § 30.]

To a fine not exceeding two hundred dollars for examining or permitting to be examined the envelopes containing the ballots thrown at any election. [1890, c. 423, § 101.]

To a fine not exceeding one hundred dollars or imprisonment in the house of correction for twenty days for making any statement relative to an election prior to the public declaration of the vote. [1890, c. 423, § 124.]

To a fine of not less than five nor more than fifty dollars for failing to make return of the votes given in conformity with the provisions of law. [1890, c. 423, § 141.]

To forfeit a sum not exceeding three hundred dollars for wilfully signing a certificate not in conformity with the result of an election, as appears by the transcripts and returns, or by a recount of votes. [1890, c. 423, § 162.]

To forfeit a sum not exceeding two hundred nor less than thirty dollars for wilfully neglecting or refusing to perform any duty required of him by the provisions of Title III. of chapter 423 of the Acts of 1890. [1890, c. 423, § 169.]

CITY CLERKS.

The duties of the city clerks, while in many respects the same as those of the town clerks, vary according to the charters and ordinances of their respective cities. The amount of labor devolving upon them depends so largely upon the assistance allowed them that I have not considered the matter of their compensation. Their relations to the members of their city governments are so intimate that their duties should be known to them, and the compensation made proper without legislation.

SAFES AND VAULTS.

The general condition of affairs in regard to the want of safes is set forth under the head of "Town Records;" this particular part of the report relates chiefly to the action taken to remedy this want.

On the 28th of February, 1890, a copy of the following circular was sent to every town:—

SELECTMEN OF ———.

I am led to believe that in some of the towns where the matter of the purchase of safes for the records is under consideration, two mistakes are liable to be made, viz.:—

First. The failure to procure safes sufficient to contain all the "books of record or registry and other important documents or papers" which the statute requires shall be kept in the safes. The records of the town clerk, selectmen, assessors, collectors, school committee, and other town officers, should all be in safes, and the accumulation of these records should be provided for.

Second. The failure to procure absolutely fire-proof safes. Certainly no safes should be purchased which the seller will not claim to be fire-proof, as they will not comply with the statute requirements.

I would renew the recommendation in regard to vaults, made in my report to the present Legislature, pp. 34, 35; and, as I have had numerous inquiries from town officers as to the best methods of construction of vaults, I would submit the following information furnished by a leading manufacturer of safes and vaults:—

Vaults should be built of hard brick, laid in cement, as little cement being used as will make good work. This favors quick drying.

Vault walls should be sixteen inches thick. These have been proved absolutely safe in great fires, and the difference in expense between a wall of this thickness and one slightly thinner will be insignificant.

Avoid building a vault in the basement.

Have the vault open into a room that gets direct sunlight.

If possible, run a pipe from the interior of the vault into a flue. A two-inch pipe will be sufficient, and will prove of great benefit in preventing dampness, and cannot communicate fire.

A vault should be open at least one day in a week. Every vault or safe will be damp if not often opened.

The slight dampness arising from new material can be quickly

CHAPTER I

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CHAPTER II

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CHAPTER IV

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absorbed by placing lime in the vault, and removing it as fast as it becomes slacked. It should be placed in a non-combustible vessel, to avoid any danger from fire.

Plans for building a vault can be seen at this office, or will be forwarded to you if requested.

Detail construction plans in blue print were sent to forty-five towns, chiefly by request. In a few towns the selectmen, wishing to have the approval of the town in the expenditure for a safe or vault, inserted an article in the town meeting warrant to see what sum would be appropriated for the purpose, but an appropriation was refused. In one town where the town voted money for a safe, the selectmen laid plans for building a vault, and opposition was made by a citizen. In these cases I was appealed to, and requested from His Excellency the Governor the opinion of the Attorney-General upon both matters. His opinion is given in the following letter.

Boston, June 4, 1890.

To His Excellency JOHN Q. A. BRACKETT, *Governor*.

DEAR SIR:— I have the honor to reply to yours of the 2d instant, asking my opinion on the question, "Can city governments and selectmen erect brick vaults in the place of fire-proof safes, under the provisions of chapter 37, section 4, of the Public Statutes?"

The language of the section is: "City governments and selectmen shall provide, at the expense of their respective cities and towns, fire-proof safes of ample size for the preservation of books of record or registry, and other important documents or papers belonging to such cities and towns; and the clerk of each city and town shall keep in the safe so provided all such books, papers, and documents at all times except when they are wanted for use."

A brick vault, properly constructed, in my opinion would be a fire-proof safe. It is not necessary that the safe should be an iron safe. The provisions of the law would be answered if a properly constructed fire-proof brick vault, or fire-proof iron safe, should be provided.

The law is that the "city governments and the selectmen shall provide at the expense of their respective cities and towns."

It is the duty of the city governments and the selectmen of towns to provide the fire-proof safes, as the law provides, regardless of the question whether a city or town has or will refuse to appropriate money to pay for them. The expenses of the safes

would be a valid claim against the cities and towns, and the collection thereof from the cities and towns could be enforced by law.

It would be their duty to raise and appropriate money to pay such expenses, and it may be, though of this I am not certain, that, after the expense had been incurred, an indictment under section 16 of said chapter would lie against a city or town for a refusal or neglect to perform such duty. The city government and selectmen of towns, I think, might be subject to indictment for a non-performance of their duties, and could also be by mandamus, or some other suitable process, compelled specifically to discharge their duties and provide the safes.

Very respectfully yours,

A. J. WATERMAN,
Attorney-General.

In many towns there is at present no suitable place for a vault, as the town owns no building; but in several, where there is an excellent location for a vault, safes have been procured. This is a great mistake, as a vault spacious enough for the records for many years to come, can be built for the cost of a safe not large enough for all the records in the town to-day; and I would urge in the strongest manner the building of vaults wherever possible, and would also caution the selectmen against the mistake already made, and fully appreciated in the towns that have made it, of building the vault too small.

Having had numerous requests from selectmen for the names of towns where good vaults can be seen, I append the following list of towns which I visited having spacious ones, a few of which, however, need improvement in the matter of security and dryness: Amherst, Beverly, Cottage City, Danvers, Easton, Greenfield, Groton, Ipswich, Kingston, Littleton, Marblehead, Milford, Milton, North Adams, Pepperell, Pittsfield, Stoughton, Topsfield, Walpole, Wellesley, Westford, West Stockbridge, and Winchester.

Towns needing new safes and those wishing to dispose of old ones which are too small may be brought into correspondence to their mutual advantage by notifying me. In some very small towns, which, however, are among the oldest, the providing of vaults or a sufficient number of safes

for the accumulation of records and papers will be quite a financial burden, and I submit the suggestion made to me that the State, under the direction of the Governor and Council, be asked to assist such.

COPYING.

While the law requires that, "when the records of a county, city, or town are becoming worn, mutilated, or illegible, the county commissioners, city government, or selectmen shall have fair and legible copies seasonably made," there are few of the oldest towns where the copying has not been neglected. I have not, however, urged the copying, for the reason that it is not likely to be well done. I am informed by persons making use of copies that many are worse than useless, owing to inaccuracies, especially in proper names, and one clerk refuses to certify a copy made without his supervision because of its known errors. The copying has in some instances jeopardized the whole record, for the reason that, after a copy has been made, the original records are thought to be worthless and little care has been taken of them; whereas, from the fact that they have not been certified they are not a record, and the loss of the original would destroy all record. The uncertified copies should be certified at once; but here arises a difficulty, for, while the statute requires that the copies shall be certified by the clerk of the office in which they are made, he cannot be expected to certify them when he is receiving wholly inadequate compensation for the duties which the current affairs of the town require of him; and the same difficulty arises in regard to copies to be made, for, while a few of the clerks are qualified and so situated that they might make copies, a large proportion of them cannot give the time necessary for undertaking the work, and would not feel themselves qualified to do so if they could.

Copies have been made with poor ink which is fast disappearing, and poor paper has been used. Records have been kept in the homes of the copyists, in violation of law, exposing them to unnecessary risk. Experts who have given attention to the most ancient records and can read the chirography are extremely few, and are usually aged men who cannot

long continue in the work. What is needed, if the Commonwealth wishes to preserve her history as it is written in the records of her parishes and towns, is a systematic copying of the records by a class of copyists trained to the work and properly supervised in the matter of suitable ink and paper, who shall do the work in places where the records shall be absolutely safe. It would seem as if this might properly be done under the supervision of the Secretary of the Commonwealth.

I would again suggest and urge that towns which have made copies of their records keep the originals and copies in separate fire-proof places.

BINDING.

Though the statute requires that all records shall be substantially bound, little attention has been given to binding such as were originally unbound or to rebinding those that needed it.

By the detailed report upon the records in the towns, it will be seen that most of the early valuation and tax lists were made in pamphlet form, and those have remained unbound, becoming worn and mutilated and much more liable to be lost than if bound. There is nothing to prevent the binding of these and other pamphlets which are in comparatively good condition, but there are difficulties in the way of binding the badly dilapidated volumes.

It is difficult to accurately describe the condition of some of these old volumes. Many of them are out of the original parchment covers, and the stitching has given way, causing the leaves to become loose and misplaced; constant handling, becoming more and more careless as the volumes seem to be considered more and more worthless, has broken the brittle paper, and the edges of the leaves have worn away to a considerable depth, until the volumes are considered past redemption, and are shown as curiosities only. The skilful work done on apparently worthless papers in the office of the supreme judicial court, and on bound volumes of old records in the registry of deeds in Boston shows that there are none of these records which cannot be saved from further destruction and renovated by the use of transparent adhesive paper.

But when I suggest that this be done, I am met by the question, "Who is to do it?" Under the present system of compensation the clerk cannot be expected to give his time to the work, and usually is not authorized to incur the expense. Moreover, it is expert work, and the persons competent to do it are few. If the records are sent in their present condition to the binder, there is danger that fragments of pages will be lost. These fragments may contain a date or a name which is the important part of the record, the value of which an expert would appreciate. Under the statute requiring the clerk to keep the records in a safe at all times when not in use, he doubts his authority to send the records away, not knowing the provision to be made for their safe keeping.

The binding of the county records is a source of anxiety to the recording officers. The utmost precaution is taken in regard to their safety, their transportation to and from the binderies being by special messenger, and agreements from the binders that the records shall be in safes at night being required by some of the officers. For some years the binding of the records in the county offices at Cambridge was done in a room in the basement, and the plan worked most advantageously. The room is still available, and, if the plan could be renewed, it would be an advantage, and would furnish a safe place in which towns within easy access could have their records repaired and bound.

I have been asked if I would officially take the supervision and responsibility of the work of rebinding, and, while I am willing, I have no authority and no place for the safe keeping of the records. In this condition of affairs I submit whether it would not be well to provide for the placing of such records as need repairing and binding in my custody, to be repaired and bound at the expense of the town. I am confident that many of the towns would be glad of the opportunity of doing this, and I am more confident that, unless some provision is made for a systematic supervision of the work, many records will be handled in such a way as to injure them still further.

Much complaint has been made to me of the poor quality of the binding upon the books furnished by the State for the use of the assessors, and for the recording of births, mar-

riages, and deaths, and several of the cities and towns have rebound them at their own expense either before or after use. The State should certainly set a good example in the matter of the books it furnishes for records.

PRINTING.

The partial security afforded the records by their copying should be made complete by their printing, as has been stated in both of the previous reports. As will be seen by the following list, the work of printing the town records has been commenced in a few of the cities and towns, and other cities and large towns have the matter under consideration. The printing must necessarily involve a considerable expense, which in many of the very small towns would be quite a burden; but it often happens that those small towns are among the most ancient, and consequently their records are extremely valuable. I would respectfully submit for your consideration whether the Commonwealth might not very properly assist in the printing of these records, forming, as they do, a part of the history of the State.

The following list of printed records of cities and towns, which are in the Massachusetts State Library, is furnished by Mr. C. B. Tillinghast, acting librarian: —

Amherst. Records of the town of Amherst, from 1735 to 1788. Reprinted from the "Amherst Record"¹ of 1883-4. Edited by J. F. Jameson, Amherst, 1884.

Boston. Reports of the Record Commissioners: —

First. Tax Lists and Lists of inhabitants prior to 1700. 1876. Second Ed., 1881.

Second. Boston Records, 1634-1660, and the Book of Possessions. 1877. Second Ed., 1881.

Third. Charlestown Land Records, 1638-1802. 1878. Second Ed., 1883.

Fourth. Dorchester Town Records. 1880.

Fifth. "Gleaner" Articles. Contributed to the Boston "Daily Transcript" in 1855 by the late Nathaniel Ingersoll Bowditch, under the signature of "Gleaner." 1880.

Sixth. Roxbury Land and Church Records. 1880.

Seventh. Boston Town Records, 1660-1701. 1881.

¹ Newspaper.

- Eighth.* Boston Town Records, 1700-1728. 1882.
- Ninth.* Boston Births, Baptisms, Marriages, and Deaths, 1630-1699. 1883.
- Tenth.* Miscellaneous Papers: Will of Robert Keayne; Admissions to the Town of Boston; Tax Lists, 1691-1693; Abatements of Taxes, 1700-1702; Establishment of the Poor Fund; Census of 1707; Reprint of Boston Directories, with maps, 1789, 1796, etc. 1886.
- Eleventh.* Records of Boston Selectmen, 1701-1715. 1884.
- Twelfth.* Boston Town Records, 1729-1742. 1885.
- Thirteenth.* Records of Boston Selectmen, 1716-1736. 1885.
- Fourteenth.* Boston Town Records, 1742-1757. 1885.
- Fifteenth.* Records of Boston Selectmen, 1736-1742. 1886.
- Sixteenth.* Boston Town Records, 1758-1769. 1886.
- Seventeenth.* Selectmen's Minutes, 1743-1753. 1887.
- Eighteenth.* Boston Town Records, 1770 through 1777. 1887.
- Nineteenth.* Selectmen's Minutes from 1754 through 1763. 1887.
- Twentieth.* Selectmen's Minutes from 1764 through 1768. 1889.
- Twenty-first.* Dorchester Births, Marriages, and Deaths to the end of 1825. 1890.
- Braintree.** Records of the town of Braintree, 1640-1793. Edited by Samuel A. Bates, Randolph, 1886.
- Brookline.** Muddy River and Brookline Records, 1634-1838. By the inhabitants of Brookline, in town meeting. 1875. Town Records of Brookline, Massachusetts, 1872-1884. Published by vote of the town. 1888.
- Dedham.** The Records of Births, Marriages and Deaths, and Intentions of Marriage, in the town of Dedham. Volumes I. and II. With an appendix containing records of marriages before 1800, returned from other towns, under the statute of 1857, 1635-1845. Edited by Don Gleason Hill, town clerk, Dedham. 1886.
- A Memorial volume. The record of baptisms, marriages, and deaths, and admissions to the church and dismissals therefrom, transcribed from the church records in the town of Dedham, Massachusetts, 1638-1845. Also all the epitaphs in the ancient burial place in Dedham, together with the other inscriptions before 1845 in the three parish cemeteries. Edited by Don Gleason Hill, Dedham. 1888.
- Lancaster.** The early records of Lancaster, Massachusetts, 1643-

1725. With map. Edited by Henry S. Nourse, A.M., Lancaster, 1884.

The Birth, Marriage, and Death Register, Church Records and Epitaphs, of Lancaster, Massachusetts, 1643-1850. Edited by Henry S. Nourse, A.M., Lancaster. 1890.

Manchester. Town Records of Manchester, from the earliest grants of land, 1636, when a portion of Salem, until 1736, as contained in the Town Records of Salem, Second and Third book of Records of the Town of Manchester. Salem, 1889.

Plymouth. Records of the town of Plymouth. Published by order of the Town. Vol. I., 1636-1705. Plymouth, 1889.

WOBURN. Woburn Records of Births, Deaths, and Marriages, from 1640 to 1873. Part 1. Births. Alphabetically and chronologically arranged by Edward F. Johnson, Woburn. 1890.

Part 2. Deaths. With transcript of epitaphs in Woburn first and second burial grounds. By W. R. Cutter and E. F. Johnson. Woburn, 1890.

WORCESTER. Early Records of the town of Worcester. Book 1, 1722-1739. Worcester, 1879. Edited by Franklin P. Rice. In Worcester Society of Antiquity collections, Vol. II.

Same. Book 2 (in same vol.), 1740-1753. Worcester, 1880.

Records of the Proprietors of Worcester. Edited by Franklin P. Rice. Worcester, 1881. In Worcester Society of Antiquity collections, Vol. III.

Worcester Town Records from 1753-1783. Edited by Franklin P. Rice. Worcester, 1882. In Worcester Society of Antiquity collections, Vol. IV.

Records of the Court of General Sessions of the Peace for the County of Worcester, Massachusetts, from 1731 to 1737. Edited by Franklin P. Rice. Worcester, 1882. In Worcester Society of Antiquity collections, Vol. V.

Worcester Town Records, 1784-1794. Edited by Franklin P. Rice. Worcester, 1890. Not yet completed. Nos. 28 and 29 of the Worcester Society of Antiquity collections.

VALUE OF RECORDS.

A law to be well enforced must have an approving sentiment behind it; and in many cases the laws in regard to records have not been enforced because the value of the records was not appreciated, and the laws, therefore, seemed

unreasonable. Instances of special cases where the towns have saved or lost money by the existence or loss of their records have proved such effective arguments when repeated to town officers that I cite a few here, with the hope that they may reach still others. One town saved itself the support of an insane pauper who is likely to be a public charge for many years by the possession of the tax lists of 1815, when all other evidence tended to establish her claim upon the town. A town and city are likely to have a suit to establish the question of liability for injuries to a person on the highway because of a dispute as to the boundary line, perambulation records of which have not been preserved. One town saved directly one thousand dollars, and indirectly much more, on a school building by the records of the school committee. In one town a fund arising from the sale of ministerial land cannot be apportioned because of the inability to find the record of the use "for which the said lands were preserved and appropriated." The public common in one town is likely to revert to the heirs of the donor, when by the possession of the church records it might revert to the parish, or remain the property of the town.

Many towns are disputing among themselves or with the State over a pauper settlement claim which the possession of proper records would settle, the cost of the dispute being more than the claim; and many feel that they are unjustly charged with the support of a pauper whose settlement they cannot disprove by record. Contrary to a prevailing idea, the towns which have their records bearing upon the matter of settlements are in the best position, as in the absence of the record the burden is upon the town to disprove evidence which may establish an unjust claim, whereas a just claim is reasonably sure of being established, and the record is no disadvantage, even if the town desires to avoid its just debts.

RECORDING OFFICERS.

I would again urge that the term of office of recording officers be lengthened, especially that of city and town clerks. Records have suffered from the entrance of politics or local feeling into the election of clerks. There are places

wise enough to look upon the office as a business office, and to continue an incumbent as long as he proves competent and faithful; but there are many where the clerk is usually opposed at each election by a person of an opposite political faith. This is fatal to the maintaining of a first-class office.

A clerk is hampered through the year by the uncertainty of his position. He should do and refuse to do many things which would cause narrow-minded people to antagonize him: for instance, refuse to loan records; demand records of persons holding them unlawfully; and cause physicians and undertakers to be prosecuted for neglect to comply with the law in regard to the returns for recording. He naturally hesitates to take action which he thinks will make him enemies who will take their revenge at the next election. He cannot become familiar with his records or duties in a year; and, if he happens to serve for several years, and sees the needs of the office, he will not undertake improvements which he may have to leave when hardly begun.

By chapter 423 of the Acts of 1890, which requires that the town clerk shall be one of the registrars of voters, he is brought directly into a partisan position, even where the office has not before been looked upon as such; for not more than two of the board shall be of the same political party, and he must be classed with one. This is a great mistake, for no one familiar with the duties of the board can fail to know that, be he ever so impartial, he will not escape being charged with partisanship, and his position as clerk be endangered. This is a disadvantage to a board as well; for, if a clerk belonging to another party is chosen, one of the board must be retired to make the political representation even, although his term has not expired, and the experience of the clerk and one other person is lost in making the records of the registrars for the next year.

The clerks with whom I have conversed upon this subject are unanimous in their opinion that the statute should be amended, but it seems desirable and proper that the town clerk as a non-partisan should continue to be the clerk of the board, as he is custodian of all town records.

The re-election of the county recording officers, without regard to party, has become the rule rather than the excep-

tion ; but the practice of making party nominations is a detriment to the offices, for there is an uncertainty in the mind of the officer during the latter part of his term, which naturally deters him from planning or beginning work for the future which might be a public benefit.

There seems to be no reason why the arguments in favor of the retention in office of county officers should not apply to city and town clerks. The election for three years of members of the school committee is conceded to be advisable, and the reasons for the elections of the clerks for a longer term are certainly stronger.

RECORDS IN OTHER STATES.

The change of boundary lines has resulted in transferring towns or parts of towns from one jurisdiction to another, and the record pertaining to territory once but not now in Massachusetts, is in other States. I have made investigation in regard to these records in some cases where I considered the evidence warranted it.

A tradition in Bristol County has represented that the early records and papers of the county were wrongfully kept at Bristol, R. I., when Taunton was made the shire town in 1746. I visited Bristol, only to find that the tradition there was that records belonging there were taken to Taunton. Bristol County was established in 1685, and, as the earliest record in the court records in the office of the clerk of the courts at Taunton is 1702, the records for the intervening time have been considered lost. But the records of the county court for Bristol County, which could not have commenced until 1685, are in the registry of probate, and contain records of a county court holden at Bristol, Nov. 20, 1689, and of others as late as Nov. 18, 1691, together with probate and other matters for this period. As county court records were discontinued in 1692, the doubt may well be raised whether records are missing except from November, 1691, to the commencement of the records of the inferior court of common pleas, April 12, 1702. The records for that period are, evidently, missing. The files of papers in the office of the clerk of the court at Bristol are all preserved since 1747, the date of division, but none earlier are known

to exist. If any person in authority had taken the trouble to move the earlier ones from Taunton, he would have been likely to have placed them with these in official custody ; and, if that had been done, they would doubtless have been kept with those immediately following them in date, which are preserved. I think it may, therefore, safely be assumed that the files were brought from Bristol ; and it is more than probable that a part of them are among a collection of papers, in all stages of decay, in the basement of the court house, at Taunton. These will be put in order as soon as changes consequent upon the remodelling are made.

In the office of the town clerk of Bristol I found a volume containing the records of a meeting of the inhabitants of Bristol, held Sept. 1, 1681, at which they named the town Bristol ; and of the first "town meeting," held Nov. 10, 1681. This volume, which covers the period to 1718, was copied in 1826 and the copy is with the original. The records of births, marriages, and deaths, commencing Jan. 14, 1680, and a copy, are also in the clerk's office. He has also a map of the town as originally laid out, made in 1680, together with a copy. Owing to the interchange of territory between the towns in this vicinity, and between Massachusetts and Rhode Island, it is not unlikely that these records, though nominally of Bristol, contain information relating to parts of towns now in Massachusetts.

The changes in town lines along the New Hampshire border have been many, and it is not improbable that records concerning the old towns may be found in the new, especially as Amesbury and Northfield both report records missing. Newton, N. H., was set off from Amesbury ; Atkinson and Plaistow, from Haverhill ; Brookline (formerly Raby), Hollis, and Nashua, from Dunstable ; Salem, from Haverhill and Methuen ; and Hinsdale, from Northfield. I hope to make investigation in these towns, and have already done so in regard to the records of Dunstable, with the following result : —

The first mention of Dunstable found in the Massachusetts records is Oct. 13, 1680, although the seal of the city of Nashua, N. H., says "Township of Dunstable, 1673." The earliest records found in Dunstable bear date 1743, and no

earlier records were known to the town officers. Upon visiting Nashua I found three volumes of the records of the "Proprietors of Common and Undivided Lands in the Township of Dunstable," covering the time from July 12, 1729, to July 10, 1739, and from Jan. 9, 1760, to May 26, 1807; also a volume of births, marriages, and deaths, commencing 1679. These volumes have been repaired and handsomely bound, and, as they include the record for a period after the dividing line between Massachusetts and New Hampshire was supposed to have been settled, and bear the heading "Province of New Hampshire," their possession can hardly be asked by Massachusetts, but the copying of them by Dunstable seems important.

Persons interested in, and familiar with, the early history of the parts of western Massachusetts which were formerly in New York, have thought it probable that there were early records in New York State. There are none in the office of either the secretary of State or county clerk in Albany. It is possible that there may be some in the border towns of New York. An inquiry of Mr. Berthold Fernow, late custodian of State archives of New York, who is acknowledged to be the best authority upon this matter, elicited the following reply:—

I suppose your inquiries refer to that part of your State bordering on the county of Columbia in this State. This county was in colonial days a part of Albany County, and all matters relating to the transfer of property would be found here in the county clerk's office. I am now engaged, privately, to make a calendar of these records. While Columbia County was politically a part of Albany County, it was to the largest extent the property of the Livingston family, and their papers, which I have so far been unsuccessful to locate, should be of great value for your purpose. I do not recall at this moment any settlement in the eastern part of Livingston Manor, now your State, although I know of troubles in colonial times about proprietary rights there.

For purely personal (genealogical) matters I would refer you to the church records, kept by the ministers of the Reformed Church with great accuracy: Lulithgow (Livingston Manor), from 1722; Kinderhook, from 1700; Ancram, from 1746. Even if these places are somewhat distant from the Massachusetts line, the births, etc.,

occurring in families belonging to this church and living farther east, will be found recorded by the pastors.

Another very reliable source for this kind of information is the volumes (40) of marriage bonds, issued from 1752 to 1783 by the provincial governors. An index of them was published by this State some thirty years ago.

I found in the office of the secretary of State at Albany books of patents from 1664, and volumes of abstracts of the same, indexed by names of places and grantees, with reference to the pages both of the patents and the abstracts; and from those I obtained the following information in regard to Nantucket and the towns in the County of Dukes County which is not contained in any records of this Commonwealth. It is here presented in the form of memoranda; but I would suggest that these grants and other matters pertaining to Massachusetts, which are recorded in the New York records, and which the excellent indexes make easily accessible, be copied and placed among the archives of the Commonwealth. The references are to the book of patents:—

1671. June 28. Vol. 4, p. 70. Francis Lovelace, “by vertue of ye Commission and Authority unto mee given by His Royall Highnesse upon whom (as well by ye Resignation & Assignment of ye Heyres of ye said William Earle of Sterling and also by Lawfull Grant & Patent from his Royall Ma^{tie} Charles the second) ye Propriety & Government of Long Island Martins Vineyard Nantucket & all ye Islands adjacent amongst other things is Settled” gave, granted, ratified, and confirmed “unto Tristam Coffin Sen^r and Thomas Macy as Patentees for & only on ye behalfe of themselves & their associates ye Inhabitants ffrecholders their Heyres Successors & Assignes ye said Island called Nantuckett Island, that is to say so much thereof as hath by them been made Purchase of.”

1671. June 29. Vol. 4, p. 70. Tuckaruckett Island was conveyed by Governor Lovelace to Tristam Coffin Sen^r, Peter Coffin, Tristram Coffin Jun^r and James Coffin their heirs and assigns.

1671. July 8. Vol. 4, p. 73. This grant is headed Tisbury Manno^r. Governor Lovelace granted to Thomas Mayhew Sen^r and Thomas Mayhew Jun^r “A certain Island . . . in length over against ye Maine neare East and West and being to ye North West of ye Island Nantuckett,” containing lands bought of the

Indians called Chickemote, Keep-hickon, Quia-naimes, Nashowa-Kemmuck, "together with two of ye Elizabeth Islands called Kataymuck & Nanname-sitt and several other small and inconsiderable islands in Monument Bay . . . to be called and knowne by ye name of Tysbury Manno."¹

1671. July 8. Vol. 4, p. 75. By the grant of Governor Lovelace, Edgartown received its name. Whereas there is an island "lyeing and being to ye North West of the Island of Nantuckett" a proportion at the east end thereof having been granted "to several inhabitants ffrecholders thereof for a townshipp who have made purchase of ye Indyan Right, the said Towne being formerly known by the name of the Great Harbour. . . . And the said town which for the future shall bee called by the Name of Edgar Towne." . . .

1671. July 8. Vol. 4, p. 77. This grant seems to give the town of Tisbury its name. "Whereas there is a certain Island . . . granted to Thomas Mayhew Sen^r & Thomas Mayhew Jun^r who granted a proportion near the middle of the said Island for a townshipp formerly known as Middletowne, Said Towne to be called Tisbury-Towne."¹ . . .

1674. Feb. 23. Vol. 4, p. 91. Granted by E. Andross. This grant is headed "No-Man's Land or the Isle of Man." June 28, 1670, Governor Lovelace issued an order for a patent which was not carried out. Governor Andross granted the same land, provided John Williams and associates should settle within one year two families, and within four years "other ten or as many as the place shall be capable of or they can procure." Cases in dispute where the amount involved was above ten pounds were to be heard at the "General Court of Martins Vineyard or Nantuckett" the justice of the peace on the island to have a vote in the court. John Williams was to pay yearly one barrel of good merchantable cod-fish "at the Bridge in New York." The island to have the privileges of a township.

1687. June 27. Vol. 6, p. 254. Nantucket town received its original name by the following: "Whereas there is an Island called Nantuckett" . . . certain persons are "herein elected and made one body corporate and Politiq and willed and determined to be called by the Name of the Trustees of the ffrecholders & Comonality of the Towne of Sharborn."

¹ The granting of Tisbury Mannor and Tisbury Town may account for the indefiniteness in regard to the incorporation of Chilmark, mentioned on p. xxv, of the first report of this commission.

RECORD INKS. *M. J. 11/9/12*

Upon commencing an examination of the records in various places, I was impressed with the great importance of the use of inks which should be permanent, and the necessity of an investigation which might prevent the further use of inks that for one reason or another were unfit for use upon records. I found that, as a rule, the inks upon the most ancient records had preserved their color, many undoubtedly being blacker than when used, but that the later records lost the jet-black appearance of the older. This, it is true, is not wholly due to the change of inks, for the use of quills, the soft surface of the old paper, the absence of blotting-paper and the greater time spent in writing, were all conducive to a heavier deposit of ink; but evidence is ample that in comparatively recent years inks of poor quality came in use. Proof of this is given by an examination of the records in the State House. Up to about 1850 it was the custom in the office of the Secretary of the Commonwealth to use for engrossing the Acts inks made of a powder which was mixed in the office; and until that time the Acts which are engrossed upon parchment show, with but few exceptions, no signs of fading. From 1850 for several years the writing in many cases is becoming indistinct, that upon an Act in 1851, and upon two in 1855, having nearly disappeared. Since 1860, Acts showing different intensity of color are found, but whether this is their original color or not cannot be determined.

That the fading can be attributed to the parchment, as some claim, is disproved by the fact that of the signatures upon the same Act a few have faded while others have not. Upon an Act approved January 4, 1845, the signature of the President of the Senate has nearly disappeared, that of the Speaker of the House is more legible, while that of the Governor, and the figure 4, which he evidently inserted, are jet black.

The indexes in the volumes of archives in the office of the secretary, which were written about 1840, were evidently made with a different ink from that used for engrossing, and faded so badly that the important words had to be rewritten.

In the office of the State treasurer the records to about

1867 are very black and distinct, but the ink used during a few years following has faded.

The records of births, marriages, and deaths, in the registration volumes in the secretary's office, furnish an excellent illustration of the different qualities of the inks now used. These records are original returns made by the city and town clerks, and from 1842 to 1889 show instances of the use of inks which are now almost illegible. Here again the fault cannot be attributed to the paper, for endorsements made in the secretary's office upon the most faded returns at the time of their receipt are as black as when made.

The volumes of copies of the old records of Lexington, made in 1853, have faded until they are quite indistinct.

Some of the old inks, though retaining their black color, have, from the presence of acid in the ink or paper, eaten through the paper as thoroughly as if the writing had been done with a sharp instrument. In part of one old volume of court records, the ink, while not injuring the paper or becoming illegible upon the face of the leaves, has gradually become legible upon the reverse, while the heavy paper has been impervious to the other inks used.

Knowing that some of the recording officers were much troubled to obtain inks which possessed all the qualities desired, and if using an ink which it was agreeable to use, had no evidence of its most important qualification, — permanency, — I asked from the registers of deeds, registers of probate, and city clerks, the name of the ink in use in their respective offices, and the qualities which recommended it. Replies were received from all, numbering seventy-five. I found that twenty-six inks and five writing fluids were in use upon the records in these offices. In these twenty-six were included inks of different kinds made by the same manufacturer. Some of the recording officers have taken great pains to procure absolutely permanent inks, and, while believing that they have procured such, have expressed gratification that the subject was to be systematically investigated, hoping for some positive information.

To show the difference in the conclusions at which they have arrived, notwithstanding their endeavors, I present a

summary of the replies, and in considering this summary a distinction between inks and fluids must be borne in mind.

Two make the general statement that they consider all fluids unsafe, while several who used inks of a certain make upon their records used fluids for other purposes, thereby implying their distrust of the permanency of the fluids.

The most popular ink had eleven advocates, its recommendation being its black color and supposed permanency. One of its advocates said "it thickens quickly, and for that reason is not as pleasant to use as some others, but I have not dared to change, for reason of its durability." Per contra, two were not satisfied with it, and were about to change; and one who had used it for many years had discarded it because "after a while it became bad."

The next in popularity was a fluid which had nine advocates. One had used it twenty years, another over thirty, another thirty-five, and "should not care to change;" while one said it had been used in his office "time out of mind."

The ink of the same maker had four advocates, two of whom were particular to emphasize the fact that they would not use the fluid. Per contra, one who had used this ink for twenty-five years said it was "not as good as formerly, and had been discarded;" and another said that "the records made in 1884 already (in 1890) showed age."

Another fluid was the third in the matter of choice, having eight advocates. This fluid had been in use seventeen years in one office and twenty years in another. Two used the ink of this manufacturer, but not the fluid.

Of the inks of another manufacture, six used one kind, one another, and one another. One of these used the fluid for general uses in the office, but would not allow it on the records. Of these inks one questioned the permanency, and one gave as its recommendation that the "first color is neither purple or mauve, both of which will fade."

One recording officer used an ink the permanency of which he did not doubt, "owing to the age of the formula and length of years;" another used this ink if a steel pen was used, but mixed it with the fluid of another manufacture for use with a gold pen. Still another mixed it with the ink of another manufacture in equal parts.

One ink has been used in one office for sixty-eight years, and in another for forty-nine. This had two other advocates. Per contra, three have rejected it. Of fifteen other inks reported as in use, the general answer in regard to the qualities which recommend them is the easy flow and freedom from sediment.

The following remarks were added. "I have used it long enough to know of its durability." "The trouble with the ink is that once a week you have an inkstand half full of mud." "I find it difficult to find an ink the permanency of which I dare trust." "It corrodes the pen." "Think that after a time the desire to make large profits serves to induce manufacturers to cheapen the quality, and not let it mature enough in the vats." "I have tried all kinds. This is possibly as permanent as any." "It is true it thickens by exposure, but any ink will." "Aniline fluid is not an ink." "I have put it in the sun beside of ——— ink, which has faded, while this has not. I have during the past few years made many experiments in the way of testing inks, subjecting the writing for long periods to sunlight and water." "Many popular inks are worthless for the purpose of a recording officer." "Used this for twenty years. If there is anything better, I want to know it."

These replies and comments showed that, if some were right in their conclusions, others were wrong, as some were using inks or fluids which others were satisfied were not permanent; that some were using those with which they found it easiest to write, taking the risk of their not being permanent; that inks were condemned because they had more body and were less agreeable to use; and that inks were being mixed regardless of the chemical effects.

To ascertain what kind of inks were in use by the town clerks, I examined the registration volumes before referred to, and, as before stated, found many poor inks in use. In a few cases blue inks were used, and in two violet, which is, as a rule, if not always, a fugitive color. *A number of the returns in these volumes of as recent date as 1875 were almost illegible, and three made in 1888 were nearly as indistinct.*

The more I looked into the subject, the more I became

convinced that the whole subject of ink was one upon which the persons using it were comparatively ignorant. Consultation with experts satisfied me that good inks were being injured by improper treatment; that the custom of mixing inks and of adding water to them was unsafe; and that among the inks reported as in use upon the records there were many manufactured for commercial uses which should not be used upon records, and which the manufacturers would say were not intended for record inks. I therefore sent to the manufacturers of the inks reported as in use by the recording officers, and to some others, the following letter and inquiries:—

The fading of much of the ink used in records of comparatively recent date, while as a rule the records of two hundred years ago are as legible as when written, establishes the fact that for permanent qualities much of the modern ink is inferior to the ancient, and that inks are used that are unfit for making a record which should stand for all time.

I am led to believe that most ink manufacturers make inks which are good for commercial and other uses where there is no desire for a permanent record, but which they would not recommend for use where the important object was the permanency of the record. One of the dangers to which our records are exposed can be obviated by the use of proper inks; and I desire to obtain the opinion of the leading manufacturers on the subject, that I may advise the recording officers of the State what are, and what are not, safe inks to use for records.

I shall esteem it a favor, therefore, if you will answer the enclosed questions, and return them at your convenience. Your reply will be treated as confidential as far as names are concerned, except in the answer to question No. 5, and that will not be printed if you so request. Any general opinion which will aid the recording officers in their selection of ink or paper will be welcomed.

1. Do you consider it safe to use for a permanent record aniline inks?
2. Do you consider it safe to use for a record logwood inks?
3. Do you consider nut-gall and iron inks absolutely safe for a permanent record?
4. Do you consider carbon ink the only permanent ink?
5. What inks of your manufacture would you advise against using for a *permanent record*?

6. Do you advise generally against the inks known as writing fluids, when permanency is the first requisition?

7. Do you manufacture a writing fluid?

8. Do you consider it safe to add water to ink intended for permanent record, which has grown thick by exposure to the air?

9. Do you believe that the obliteration of ink is ever due to chemicals left in the paper? (This question has been asked of the paper manufacturers also.)

10. Do you consider it safe to mix inks without knowing to what chemical group the inks so mixed belong?

Replies were received from twenty-two manufacturers. Several of the inks in the market, though bearing the name of certain persons, were found to be manufactured for them by manufacturers who had already answered the questions. Their replies were, therefore, not considered.

To the first question, "Do you consider it safe to use for a permanent record aniline inks?" the unanimous answer was decidedly no. Aniline black is absolutely permanent, but as it is not yet known how to render it soluble in water, it has not been much used in ink.

To the inquiry in regard to logwood inks, nearly all answered no, and most of those who did not qualified their answers to such an extent as to imply distrust.

Upon the question of the permanency of nut-gall and iron inks, the answers were more varied; one answering no, and four answering directly yes, the remaining answers being in brief that such inks were permanent if properly made.

To the question, "Do you consider carbon ink the only permanent ink?" the answers were varied and contradictory. Most of the manufacturers said a carbon ink could not be permanent, because carbon was insoluble; and some said that no chemical union could exist between carbon and the other ingredients in ink. Others claimed that carbon was the one permanent color, and cited the old Indian and Chinese inks which have stood for centuries as illustrations of its permanency. These statements were so widely different that I pursued the inquiry further, and found it was conceded that, if a process could be discovered by which carbon could be dissolved and made to retain its color, no known substance would make so permanent an ink; but that

there was no such process, and in the inks now made the carbon was simply held in suspension in the ink without any chemical union; but I found also that improvement has been made, and that it is possible to combine the carbon with chemicals which will cause the carbon to embody itself. More than ordinary care should, however, be exercised in the purchase of carbon inks, for the lack of chemical union would cause a tendency to precipitate the carbon if the ink were improperly made.

The replies to the inquiry, "Do you advise generally against the inks known as writing fluids, when permanency is the first requisition?" were in a way the most unsatisfactory, and savored somewhat of advertising. One manufacturer made no fluid, and had no opinion to express. Most of the others made fluids. Nine advised generally against their use; four recommended them in preference to ink; and the others either advised generally against them, but recommended their own, or qualified the answer in such a way as to throw doubt on them.

The argument in their favor seems to be that their fluidity makes them permeate the paper, and, in the change of color which usually takes place after using, a dyeing of the paper results. The objections are, that to obtain the fluidity body must be sacrificed, and there is not enough substance deposited upon the paper. The objections made by two manufacturers of fluids I give in their own words.

"We advise generally against the inks known *simply* as *writing fluids* — those not intended to yield a letter-press copy — because they are universally made, first, with as little solid matter as possible, — *i.e.* weak; second, with an excess of iron beyond that required to combine with the tannin, so as to develop all the color possible and flow with the greatest freedom. The combined writing and copying fluids, and the copying fluids on the other hand if properly made, may be justly recommended where permanency is the first requisition, particularly the older ones, which should be the most durable of all nut-gall and iron inks, because in them particularly concentration is aimed at, and the iron need not necessarily, and should not, be in excess of that required to combine with the tannin present. A steel pen during use injures, and often greatly, the durability of a writing ink by giving up iron to it."

“For your purpose, where extreme permanency is the first requisition, I should not advise the use of an ordinary writing fluid. Many manufacturers cannot obtain sufficient fluidity in their writing fluids without making their inks very dilute, and observing a particular method of manufacture which, although providing more attained color for a time, sacrifices the permanent quality of their color in a great measure. I should advise the use of an ink decidedly stronger.”

The addition of water to ink was almost universally condemned, for reasons stated later. As proof that this was not for the mercenary purpose of indirectly advising the use of more ink, some of the manufacturers said the ink should be kept in small-mouthed ink-stands, and when not in use should be as tightly sealed as possible, to prevent evaporation.

In reply to the inquiry as to whether chemicals left in the paper ever obliterated the ink, several of the manufacturers said they knew of such cases, and all were agreed that, if the chlorides used for bleaching the paper were not washed out, they would dangerously affect any ink. The practice of mixing inks was universally condemned.

I intended to publish the names of the inks or fluids which, in reply to the fifth question, the manufacturers thereof advised against using upon records; but, fearing it possible that harm might be done to a manufacturer by the careless association of *his name* with the question rather than with the *name of a particular ink of his manufacture*, I have not. Many of the manufacturers have answered the question candidly, and such will, undoubtedly, answer any recording officer who asks the question for himself. By their replies it appears that some inks and fluids which they say should not be are in use upon records.

Permanency against the action of time is the quality sought for in this investigation, and it is claimed that better evidence as to that quality is furnished by the test of time than by any other; and manufacturers have shown or referred to specimens of writing made with their ink many years ago, as proof of its merit in this particular. If there was any surety that the standard of quality was always kept up in all of the oldest inks in the market, it would be safe to accept that test, but this may not be a fact; and, as has been stated, some

of the recording officers believe that it is not. Moreover, if only the old inks were to be accepted, it would be against the spirit of the age, which is to adopt the improvements which science makes possible; and manufacturers who at great cost of time and money have made improvements, would be deprived of the compensation which they deserve. The old inks were as a rule heavy, and had a tendency to settle; and the endeavor on the part of some manufacturers has been to preserve the permanency, and at the same time produce thinner inks which would be more agreeable to use.

Improvements have been made in the direction of free-flowing inks, and these are fast becoming popular; and, while for correspondence and commercial uses they are undoubtedly sufficiently permanent, for records many of them are not; and it was with a view of preventing the use of these upon records that this investigation was made. No attention has been given to the permanency of the inks, as against their removal by acids.

I have been asked by several of the recording officers to recommend a permanent ink, and some persons who knew of this investigation have expected that it would result in the recommendation of a particular ink for records. Such a recommendation would be an official endorsement which would be unjust, if not actionable, unless every ink in the market had been considered and examined chemically.

What I hope chiefly to accomplish by this investigation is to awaken persons making records, official or other, to the necessity of the greatest care in the selection of inks and their treatment, and to call their attention to the important fact that the very quality — easy flow and freedom from sediment — that makes many inks popular with the persons doing the recording, is their worst recommendation for records.

The conclusions arrived at from the weight of evidence obtained are as follows, and should be of assistance to recording officers, who ought to have some knowledge of the chemical properties of the ink which they use, that they may know how to treat it, otherwise the best ink may be rendered worthless.

Aniline inks are never permanent, and should not be used

upon records. If once obliterated by the action of light, heat, water, or other changes, no known means can render them again legible.

Logwood inks should not be used upon records. If they do not entirely fade, they have a tendency to turn brown.

Nut-gall and iron inks, if properly made, are permanent. There is an advantage in the use of these, in that if the writing should fade it can be repeatedly restored by a nut-gall or tannin solution.

Carbon inks, if properly made, are permanent. There are few carbon inks made, although some others are so called. Great care should be exercised in purchasing them, as they would be very dangerous if improperly made.

Most of the brilliant colored inks will fade quickly.

As to the so-called writing fluids, the difference of opinion among the manufacturers makes it difficult to advise for or against them as a class; but that very difference makes it incumbent upon a recording officer to have a scientific opinion upon a particular fluid before using it upon his records. Fluids which the makers do not claim to be permanent are now in use upon the records.

Copying inks should not be used upon records. Sugar, glycerine, glucose, or similar materials are used in them, to preserve moisture and give them the property of offsetting. Any dampness makes them liable to become sticky, and to offset, thereby not only making them blur, but lose part of the substance which should be absorbed by the paper.

Stylographic inks should not be used upon records. Most of them are aniline. The absence of solid matter, which makes them desirable for the stylographic pen, unfits them for records.

Water should not be added to ink. While an ink which has water as its base would bear the addition of an amount equal to that lost by evaporation, the ink would be injured to just the extent that water in excess of that amount was added. An ink where water, though present, was not the basis, would be injured by the addition of any. A homely illustration of the reason of this is given by one of the manufacturers: a thick soup may be improved by the addition of water while it is cooking, whereas it would be ruined

if the water were added after the cooking ceased ; for in the former case a chemical union takes place, but in the latter the union is mechanical and not lasting.

Inks should never be mixed unless by the sanction of chemists. The mixture of certain inks would result in the precipitation of everything but the water.

Inks which are recommended as permanent, because acid will not remove them, while it does immediately obliterate others, may not be permanent as against time. These inks may be the best for monetary purposes, but, owing to acid in them, may be dangerous in time to the paper.

Some inks which are permanent against time, if not tampered with, can be removed with water. This is true of the most lasting of ink, — the ancient Indian.

Ink which badly corrodes an open need not necessarily be condemned ; it may contain just the acid qualities which make it permeate the paper, and render it permanent.

Blotting paper should not be used upon records. Its use removes the body of the ink, leaving discoloration, but nothing for penetration. In inks intended for copying, the use of the blotting paper is especially bad.

Inks should be kept tightly covered when not in use, and ink-stands should be frequently washed.

The use of acid for making erasures is dangerous, as the acid left in the paper may have a tendency to destroy the ink when the paper is again written upon.

The use of proper ink is considered so important by the British government that the inks used in the public departments are obtained by public tender, in accordance with conditions drawn up by the controller of H. M. stationery office, with the assistance of the chief chemist of the inland revenue department, to whom the inks supplied by the contractor are from time to time submitted for analysis. Suitable inks for the various uses are thus obtained, and their standard maintained. The last form of "invitation to tender," or "proposal," as we term it, is appended, as being instructive.

I cannot learn that the United States government uses any such care as the British in the matter of ink, although the question has been a troublesome one in the departments.

The State department issues no special rules for determining suitable inks, or requiring that particular inks shall be used. Proposals are asked for the lowest bids for the articles of stationery required, the last form of proposal asking for bids upon seven black inks, one crimson, and one writing fluid, which are named.

With the market full of inks worthless for records, the only safety for our records seems to be in the establishment of a system similar to the English, which shall fix upon proper inks for various uses, which all recording officers shall be required to use.

I believe that the recording officers will be glad to have the question of permanent inks decided for them, and to know whether inks which were in use many years ago, and have stood the test thus far, are maintained at their old standard. In the face of sharp competition among manufacturers, they fear they are not.

A minute chemical analysis of each of the inks reported in use by the recording officers would have been too expensive to undertake, and I was assured that the results would not have been practically satisfactory; but, having the statements of the manufacturers that certain chemical classes of inks were or were not permanent, I had samples analyzed of such of the inks reported in use by the recording officers as I could obtain, and some others which were upon the market, to determine to what chemical classes they belonged. The samples were from the inks bought in open market as follows, and were submitted to the chemists by numbers, no names being known to them.

1. Stafford's Commercial Ink, — Writing Fluid.
2. Stafford's Unchangeable, Universal, Jet Black Writing Ink.
- 3. Stafford's Chemical Writing Fluid.
4. Ebony Black Writing Ink, J. & I. E. Moore.
5. Underwood's Egyptian Black Ink.
6. Underwood's Chemical Writing Ink, — Cobalt Black.
7. U. S. Treasury Ledger Fluid, Wm. A. Davis.
- 8. Ink, Maynard & Noyes. *used in Suffolk Deeds Reg^y*
9. Thomas' Black Ink.
10. Barnes' National Ink, — Writing Fluid.

11. Sanford's Premium Fluid.
12. Stephens' Blue Black Writing Fluid.
- 13. H. Morrell's Registration Ink.
14. Caw's Ink.
- 15. Thaddeus Davids Co.'s Steel Pen Ink.
16. Carter's Writing Fluid. —
17. Carter's Safety Ink.
- X-18. Carter's Combined Writing and Copying Ink.
19. Carter's Koal Black Ink.
20. Carter's Raven Black Ink.
- 21. Arnold's Office and Steel Pen Writing Ink.
- X-22. Walkden's Japan Ink.
23. Lyons' Black Ink.
- 24. Arnold's Chemical Writing Fluid.
- X-25. Crystal Writing and Copying Ink, Geo. H. Freeman.
28. Underwood's Everlasting Bank Ink, — Cobalt Black.
29. Antoine's Modern Ink, Unchangeable Jet Black.
30. Murray's Congress Record Ink, — Blue Black.
- 31. Best Black Ink, D. B. Murray & Son.
- 32. H. C. Stephens' Commercial Black Ink.
33. Stephens' Unchangeable Dark Blue Writing Fluid.
34. H. C. Stephens' Acilyton Copying Ink.
- 35. W. B. Todd's Government Writing Fluid.
36. Bonney's Premium French Ink.
- X-37. Blackwood & Co.'s "Old English" Black Letter Writing Ink. *not for sale in Boston.*
39. Continental Jet Black Ink.
40. Pomeroy's Permanent Black Ink.
54. Zulu Black Writing Ink, J. & I. E. Moore.
55. Worthington's Diamond Gloss Black Ink.
56. Joy's Commercial Writing Ink.
57. The Keystone Unchangeable Jet Black Ink, J. C. Blair.
- 58. William A. Davis' U. S. Treasury Combined Writing and Copying Ink.
59. Draper's Ink (Dichroïe).
60. Encre Violette, — A. W. Faber.
61. Stafford's Violet-Black Copying Ink.
62. Maynard & Noyes' Violet-Black Writing and Copying Ink.
- X-63. Sanford's Combined Writing and Copying Fluid.
- X-64. Maynard & Noyes Chemical Writing Fluid.
65. Sanford's Ink, French Copying.
66. The A. T. Cross Stylographic Ink.
67. Dunlap's Stylographic Ink.

x Stand Swan's test best.

Nos. 26, 27, and 38 bore labels of stationers who were not manufacturers, the same inks undoubtedly being included in the above numbers. Nos. 41 to 53 were fancy colored inks, which faded almost instantly upon exposure to light, and none of these were submitted for examination.

The reputation of the chemists making the analyses is sufficient guarantee of their accuracy. Prof. George F. H. Markoe, Ph.G., is professor of general chemistry at the Massachusetts College of Pharmacy, is now and has been for many years a member of the committee of revision and publication of the U. S. Pharmacopœia, and was formerly instructor of *Materia Medica* at Harvard University. Prof. J. W. Baird, A.M., Ph.C., M.D., is professor of analytical chemistry at the College of Pharmacy.

Their report is as follows : —

BOSTON, Dec. 8, 1890.

Commissioner on Public Records, etc.

SIR : — We present herewith our report upon the fifty-one samples of ink submitted to us for classification.

Writing inks are liquids, colored either with some freely soluble material, or by means of a finely divided precipitate held in suspension. Any material that is capable of imparting a color may be used. But in this report only those materials will be considered that produce liquids with a sufficient color to be classed under the head of dark inks, principally black or black modified (i. e., the green, purple and blue black, the dark blue and the deep reddish and purplish inks).

Formerly ordinary writing inks consisted of an infusion or decoction of nut-galls, with a solution of ferrous sulphate, known also as copperas, green vitriol, sulphate of iron, added. In this mixture there is produced a precipitate, lighter or darker, depending upon the method of manufacture and length of time since manufactured, as will be seen further on.

The solution of iron sulphate absorbs oxygen from the air, and is converted more or less into a product which will be called in this report oxidized iron. The nut-galls contain gallo-tannic acid, and some little gallic acid. The gallo-tannic acid forms with iron compounds a precipitate ; with unchanged iron sulphate, the precipitate is *light*-colored ; with oxidized iron, the precipitate is *dark* colored, — gray black to black. Gallo-tannic acid is, when moist, converted by exposure to air more or less into gallic acid.

Gallic acid strikes a darker color with oxidized iron than does gallo-tannic acid.

From the above facts it will be seen that, when the ingredients — iron sulphate and galls — are mixed, not much color is produced, but that the color develops by exposure of the ink, due to the conversion principally of the iron into oxidized iron, and partly of the gallo-tannic into gallic acid.

From this it would appear theoretically that the more the conversion the better the ink, but that is not so. The ink must contain enough oxidized iron to give color sufficient when first written to be distinctly legible, but should also contain *unoxidized* iron, so that, after it is upon the paper, the exposure there will cause this unoxidized iron gradually to be oxidized, and by that means make the color deepen with age. A further reason why a proportion of the iron should remain unoxidized is, that the process of oxidation and precipitation causes the ink to become more intimately fixed in the fibres of the paper.

To obtain the *oxidized iron*, the ink, after it is mixed, must stand exposed for some time; then it should be drawn off and bottled, thereby excluding the air, and thus retaining a portion of the iron in an unoxidized state.

As above said, a precipitate is produced between the solution of galls and that of iron, which gives the color. This precipitate will settle out and leave the solution poor in color, unless something is added to keep it in suspension. To accomplish that, to all gall inks some gum is added, generally gum-arabic. This gum has an additional use, viz., gives a gloss to the writing, and, if not in excess, probably attaches the precipitate more firmly to the paper. An excess, however, would without doubt tend to keep the precipitate upon the surface, and not allow it to bite into the fibres of the paper. Therefore, only enough gum should be used to hold the precipitate in suspension.

To sum up, a good gall and iron ink must contain sufficient galls and iron sulphate to furnish material from which the color can be formed, and must have been exposed a sufficient time to allow the color to be formed, and must then be excluded from the air (bottled), so it will contain some unoxidized iron, and finally must contain the proper amount of gum.

Theoretically, it might appear that the more material used the better the ink, producing more color and more body. Up to a certain extent this is so, but after about a certain point the inks will be too heavy to flow easily from the pen. The more material that an ink contains, and still flows comfortably, the better the ink, as regards permanency.

The following table, taken from the highest authorities, shows the composition of gall inks of different grades : —

	ALLEN'S COMMERCIAL ORGANIC ANALYSIS.		WATT'S DICTIONARY OF CHEMISTRY.	
	A. Superior	B. Inferior	C. Too heavy	D. Ordinary use
Nut-galls,	225	62	225	125
Iron sulphate,	75	31	225	24
Gum-arabic,	25	31	25	24
Water,	1000	1000	1000	1000

A, would represent the composition of a superior writing ink, too strong for ordinary use, but undoubtedly admirably adapted for *permanent* records.

B, an inferior ink.

C, an ink too heavy for writing purposes.

D, an ink well adapted for ordinary use.

The gall and iron ink (above described) has always been considered the best black ink. It deepens on exposure, bites into the fibres of the paper, does not fade readily, and, even if the organic matter is destroyed or faded, yet, if the ink contains plenty of iron, the iron compounds remaining in the paper can be made legible by the use of certain chemical reagents; *e. g.*, brushing over with solution of potassium ferrocyanide (yellow prussiate of potash) or a solution of nut-galls, thereby striking a dark color with the iron. Inks other than iron inks do not have this property.

The most permanent black color is the tanno-gallate of iron (the color in the gall and iron ink), and any other coloring matter, used either wholly as a substitute or to substitute a portion of the galls and iron, only impairs the quality of ink. Of late years this has been done to a considerable extent, and consequently the market is flooded with many cheap and inferior inks. They give a deep and an immediate color when written, but their color cannot stand the test of the atmosphere, light, and time.

Of other coloring matter found in inks, the first to be mentioned is : —

Logwood, which is used not only for its individual color, but for the tannin it contains. It gives a darker hue to the ink, and therefore is often substituted for the galls, to cheapen the ink, or is added to an inferior ink to give additional color. Logwood alone or with alum is commonly the basis of the reddish and purplish inks. Logwood with potassium chromate forms a black

ink. The objection to logwood is that comparatively it fades readily, will not stand the test of time and light, and when used alone cannot be restored after once faded. Therefore, *logwood inks* should not be used for records.

Since the introduction of the aniline dyes, they have been largely employed for the manufacture of ink, either wholly to replace the galls and iron, or as an addition to them, to allow the use of only a little galls and iron. They are also mixed with other colors. Under the name of nigrosine (an aniline black), there are found a variety of very strong dyes, which are perfectly soluble in water, and which in the proportion of from 1 to 3 per cent., perhaps without further addition, represent fairly closely the commercial inks of this variety. Such inks are cheap, give an immediate black, have very little body, and are popular for use as stylographic inks.

Although some of the nigrosines are very resistant to chemical reagents, yet many of them are not, and do fade under the influence of light, while none of them have been tried sufficiently to prove their permanence. Another objection is their free solubility in water, which makes it comparatively easy to wash such inks from the paper, and allows them to run if accidentally wet. Furthermore, they do not enter the paper as gall and iron inks do.

There is a very popular class of inks on the market, known as, —

Blue-black writing fluids, or simply *writing fluids*. They consist generally of a thin gall and iron ink, with sulphindigotic acid or indigo-carmin, sometimes aniline blue, added to give intensity to the color. They flow readily from the pen, give an immediate color, and are much employed. For ordinary use they are excellent. But, because of their thinness and lack of metallic basis, they are generally acknowledged, even by their manufacturers, as not well adapted for permanent records.

There is a variety of *blue ink*, made of soluble Prussian-blue. It can be easily made by dissolving Prussian-blue in oxalic acid. It has essentially the same composition as laundry bluing. It is resistant, but is very apt to decompose.

There is a black ink known as *carbon ink*, which has nigrosine as a basis, and has also finely divided carbon suspended by gum. It is very resistant to chemicals, the most so of any ink; but, although this is so, we cannot advise its use for records, because it does not penetrate the glaze of the paper ordinarily used; because it can be more or less easily washed off with water; and because it runs easily when wet.

To prevent inks from moulding, various substances are added; e. g., essential oils, bruised cloves, carbolic acid, vinegar, etc.

The addition of acid retards the oxidation of the iron. The ink therefore remains thinner and pale, darkens less rapidly when written, and is more corrosive to steel pens. Otherwise, the addition of small amounts of preservative agents does no harm.

The so-called *copying inks* are made by a small addition of sugar or glycerine to any ink. Even if a rich gall and iron ink is so prepared, the additions that give its copying qualities injure it as a record ink. The commercial copying inks are generally made with logwood as a basis.

The following is the classification of the inks sent to us for examination. The classification is as accurate as can be made, unless exhaustive chemical analysis be conducted upon each ink, which it was not desired that we should make.

CLASSIFICATION.

A. The Distinctly Reddish and Purplish Inks. — Logwood mostly.

I. The Red.

NUMBERS.	Specific Gravity	NUMBERS.	Specific Gravity
34,	1.090	62,	1.044
61,	1.047	65,	1.061

II. The Purple.

2,	1.017	59,	1.020
29,	1.037	60,	1.043

B. The Deep Purple-black and Blue-black Inks. — Iron and galls; some with little color, some with more. (Of this class, number 23 does not stand the required test, and is too thin.)

* 6,	1.041	* 22,	1.051
— 8,	1.032	23,	1.019
— 13,	1.041	— 31,	1.027
— 15,	1.026	* 63,	1.042
* 18,	1.046		

C. The Purple-blue Inks.—Some contain iron, others do not. Some are apparently nigrosine. Others contain logwood, and some are evidently mixtures. The division below may not be absolutely correct, but the class as a whole has considerable color added.

I. Nigrosine.

NUMBERS.	Specific Gravity	NUMBERS.	Specific Gravity
4,	1.006	36,	1.006
9,	1.010	56,	1.014
14,	1.006	66,	1.003
19,	1.006	67,	1.007

II. Mixed Inks, probably Logwood and Nigrosine.

20,	1.011	54,	1.012
39,	1.011	55,	— ¹
40,	1.009	57,	1.006

III. Iron and Galls with Nigrosine for Added Color.

5,	1.020
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D. The Deep-blue Inks.

I. This is the class to which most of the so-called writing fluids belong. Mostly iron and galls, with indigo color added.

1,	1.026	12,	1.021
7,	1.014	16,	1.020 ²
10,	1.017	28,	1.015
11,	1.019	30,	1.027

II. Prussian-blue Inks.

33, ³	—	33 a, ³	—
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¹ Specimen too small to take specific gravity.

² Decomposed.

³ A good blue. See p. 127.

*E. The Black and Greenish-black Inks.**I. Pure galls, and iron and galls, and iron with only little color added.**A. Green Black.*

NUMBERS.	Specific Gravity	Color added or not	Mineral Matter in 50 Cubic Centimeters	Calculated amount of Iron Sulphate in 1,000 Cubic Centimeters
3, . . .	1.029	Little added color,	0.541	37.6
24, . . .	1.021	Little added color,	0.5234	36.4
X 25, . . .	1.044	- -	0.7395	51.4
35, . . .	1.024	Little added color,	0.528	36.6
58, . . .	1.032	- -	0.7418	51.6
X 64, . . .	1.026	- -	0.5646	39.2

B. Black.

21, . . .	1.041	Little added color,	0.6777	46.96
32, . . .	1.033	Little added color,	0.4797	33.4
X 37, . . .	1.070	Little added color,	1.3185	91.6

II. Carbon and Nigrosine.

NUMBERS.	Specific Gravity
17,	- ¹

According to the reasons given in the first part of this report, the inks under all the classes, except the following under B, and E, I., viz., numbers 3, 6, 8, 13, 15, 18, 21, 22, 24, 25, 31, 32, 35, 37, 58, 63, 64, should be discarded *for records*. Of the numbers just mentioned, only three apparently have no color added. The amount of color, however, is small, and that in itself probably does not injure the ink.

It will also be noticed that there is great variation in the gravities. In order to show comparatively the amount of mineral matter in these, we have obtained the residues of 50 cubic centimeters by ignition with nitric acid, and this has been calculated to parts of crystallized iron sulphate per 1,000 cubic centimeters (of use to show comparative values only), all of which is shown

¹ Specific gravity not material.

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in the table. By comparison with the composition of gall inks of different grades given in the first table in this report wherein ink classed as "A" is taken as a standard for record ink, it can easily be seen to which grade of inks each number corresponds, and it will be found that all but one are deficient in iron sulphate; and, without making a special determination, they are all, in our opinion, deficient in galls (taking the "superior inks" as a

Commonwealth of Massachusetts.

OFFICE OF THE

COMMISSIONER ON PUBLIC RECORDS OF PARISHES, TOWNS, AND COUNTIES,

9 PARK STREET.

Boston, March 16, 1891.

John B. Newcomb, Esq.,

Elgin, Ill.

Dear Sir:

In reply to yours of the 13th I would say that I do not know what inks were furnished to the British Government in accordance with the specification on pages 140 and 141. The inks which I have found stand my tests best are Nos. 6, 18, 22, 25, 37, 63, and 64, on pages 122 and 123; all but No. 37, I presume can be purchased in any of the large cities; No. 37, however, is not in this market.

Yours respectfully,

Robert V. Swan,
Commissioner.

in the table. By comparison with the composition of gall inks of different grades given in the first table in this report wherein ink classed as "A" is taken as a standard for record ink, it can easily be seen to which grade of inks each number corresponds, and it will be found that all but one are deficient in iron sulphate; and, without making a special determination, they are all, in our opinion, deficient in galls (taking the "superior inks" as a standard).

As a conclusion, since the great mass of inks on the market are not suitable for records, because of their lack of body and because of the quantity of unstable color which they contain, and because the few whose coloring matters are not objectionable are deficient in galls and iron, or both, we would strongly recommend that the State set its own standard for the composition of inks to be used in its offices and for its records, have the inks manufactured according to specification sent out, and receive the manufactured products *subject to chemical assay*. In this way only can there be a uniformity in the inks used for the records throughout the State, and in no other way can a proper standard be maintained.

GEORGE F. H. MARKOE, Ph.G.,

Professor General Chemistry, Massachusetts College of Pharmacy.

J. W. BAIRD, A.M., Ph.C., M.D.,

Professor Analytical Chemistry, Massachusetts College of Pharmacy.

BOSTON, MASS., Dec. 5, 1890.

The conclusions at which I arrived were drawn, as stated, from manufacturers or recording officers, wholly independently of the chemists; but they will be found to coincide in many particulars with theirs. I did consult them in regard to the practicability of maintaining a State standard for record ink, which they have approved.

The commendation by the chemists of some of the so-called writing fluids explains in a degree the variety of opinions advanced by the manufacturers in regard to the durability of fluids. Some of them will be seen to possess the qualities of ink, and the name fluid is evidently given to meet the commercial demand for fluids.

Several persons, manufacturers among them, expressed greater confidence in tests of exposure of inks to the light and weather, than to chemical analyses. I, therefore, as a dry test, placed on the inside of a window pane receiving a

strong light, writing made under exactly the same conditions with each of sixty-seven inks, which remained there from March 13 to December 8. Similar writing was exposed to light and the weather from September 25 to December 8; and the result of the resistance of the inks in both tests is an almost exact confirmation of the report of the chemists, inks of the same class varying in their resistance according to their specific gravity or amount of added color.

It may be safely said, therefore, that, of sixty-seven inks of which I procured samples, all but seventeen are unsuitable for records, and among these the chemists say but one is fully up to the established scientific standard of quantity of iron sulphate. The reason is plain, — the demand for commercial inks is large, for record, small; and the supply has been to meet the demand.

RECORD PAPER.

The subject of paper for public records is an important one, especially at this time, when wood is largely used in the manufacture of paper.

Section 1 of chapter 37 of the Public Statutes provides as follows: "The matters of public record in any office shall be entered or recorded on paper made wholly of linen, of a firm texture, well sized, and well finished; and in the selection of paper for such records a preference shall be given to linen paper of American manufacture, if it is marked in water line with the word 'linen,' and also with the name of the manufacturer."

The law has practically been a dead letter, for the following reasons, and it is surprising that it has remained so long unrepealed: no paper is made wholly of linen, except for bonds or other special uses other than for records, and it would be unfit for records if it were; paper is marked "linen" which is not linen, and is not bought for linen, the term being accepted in the paper trade as applying to the best papers, which are about one-half linen; none but experts could know whether paper was all linen, if it were desirable to purchase it.

Many who purchase bound record books think a low-

priced book is economical; and, the price, size, and general style being satisfactory, if the paper has a good surface, little attention has been paid to its quality. The county recording officers and persons using paper in unbound form have undoubtedly used the standard reliable papers, but, in doing the best thing possible, have been obliged to non-comply with the law.

With a view of obtaining information of the paper manufacturers upon the subject, I sent to every manufacturer in the State, whose address I could obtain, a circular quoting the section referred to, and asking his opinion upon the following points:—

1. Is paper made wholly of linen the best record paper now made?
2. Is paper made wholly or partly of wood suitable for records?
3. Is there any way in which a person not an expert can detect the presence of any considerable amount of unfit material in paper?
4. Would it be practicable to require that paper made wholly or partly of wood should have some distinguishing mark to show that fact?
5. Do you believe that the obliteration of ink is ever due to the presence of chemicals left in the paper?

Replies were received from twenty-eight, including the leading manufacturers, and the following conclusions were drawn from their replies:—

Paper made of linen rags and new cotton clippings is the best record paper.

Paper made of all linen is not suitable for records, as the surface is too hard for the ink to penetrate, and it can be washed off.

Paper made wholly or partly of wood is not suitable for records.

A person not an expert cannot detect unfit material in paper, unless it exists in very large quantities.

It would not be practicable to require that paper made wholly or partly of wood should be so marked. Some manufacturers are of the opinion that any distinguishing mark is valueless; and the universal use of the word "linen"

upon paper which is known not to be linen tends to support that opinion.

Neglect to properly wash out the chemicals used for bleaching rags or for treating wood would undoubtedly cause the ink to be obliterated, to a greater or less extent.

Several of the manufacturers gave their opinions at length upon some of the points; and, as they are instructive, I quote them:—

“I am glad that you are looking into this matter, as I think trouble is coming in the future from the quality of paper used. We know absolutely nothing about the effects of time upon chemical wood fibres, and a vast amount of these are being used in all papers.”

“To conclude, we would express our opinion that the law of 1816 is a good one, with the exception of ‘wholly of linen,’ which should be ‘rags,’ and it should also include a provision that paper should have a certain tensile strength. We could with some trouble and expense give the experience of a county in New Jersey, which had to replace a large number of record books on account of the first ones having so much wood in them.”

“My opinion is that the paper made wholly of linen is not any better for record paper than where a portion of the stock, say fifty per cent., is of linen, and the other fifty is of some new material, like unbleached cotton cloth or bleached cotton cloth. You will understand that I mean that this cloth must not have been worn or washed, and in this way it will retain all its strength; and this paper combined with the linen would be durable, and would not change color.”

“In regard to your second inquiry, my opinion is that fibre made wholly out of wood would be unsuitable for records. While the fibre is similar to that of cotton or linen, it is of a different nature when you come to work it in accordance with the paper-maker’s art, and I think it would be likely to disintegrate, or become brittle and of poor color. A small portion of wood might not be any serious injury to paper, but it would undoubtedly have a tendency to injure the color somewhat, and would not be as strong as old linen and old cotton stock.”

“I do not think it would be practicable to require that paper made wholly or partly of wood should have a designating mark. I think the difficulty would be that, where you purchased paper of the lowest bidder, wood being so much cheaper, there would be a great temptation to put it in, and you would have to rely on the

integrity of the paper maker entirely as to whether wood was used, or not."

"Paper made wholly of linen rags would be unfit for writing purposes, as it would be like sheepskin or bond paper."

"Undoubtedly it is a well-known fact that the pulp-makers have been unable to destroy all the acids in their products; and, if the chlorine is not 'killed' at the paper mill, it will act on the ink."

"I think that the ink is oftener at fault than the paper, although the alkalies in paper may affect some kinds of ink. Very little all-linen paper is now made, and it is very hard to write upon, — as bond paper, for instance. Great misconception exists in the public mind in regard to linen paper, and much that is water-marked linen contains very little linen stock. We once made a lot of paper from all linen, and another lot from all cotton stock, so nearly alike that good judges could not tell the difference. Wood should not be used in any form in paper for public records. In time it dries, cracks, and crumbles. For a paper to last a long time, that will bear handling and folding, and that will at the same time write upon easily, there is nothing better than a paper made from old linen and new cotton rags, without clay, wood pulp, or other adulterant; such a paper, in fact, as any of the leading brands of ledger paper."

"Paper made from cotton, and, say, one-quarter part chemical wood, would be cheaper and still strong enough for record paper, especially when sized with animal sizing, and air-dried without coming in contact with hot iron. Much of the paper in account books sold in the market is 'engine-sized' only, which prevents the ink from spreading, but does not strengthen or harden the paper as animal sizing does. It is this animal sizing that adds to the cost very materially of all good writing paper, but in white paper it can be easily detected by exposure to the sunlight a few days, when it will be found to lose its whiteness, and become a dingy yellow."

"The great improvement in the treatment of wood fibre by chemical manipulation has rendered this material very different from the ground wood (mechanical process), against which the prejudice against wood in paper making arose originally. There is as much if not a greater difference between wood chemically treated and mechanically treated as there is between wood and rag pulp; and in many cases a mixture of wood and rag pulp will make a better paper than either will make alone."

"Paper for records must be pretty hard, especially if bound in volumes of which the leaves are to be much turned and worn, and probably a large percentage, such as fifty per cent., might well be of linen."

"Iron ink is not obliterated by the chemicals left in the paper. Logwood ink is very likely to be obliterated."

"Paper made from a combination of linen and new cotton rags, and sized with animal sizing (or glue), and afterward air-dried, possesses all the qualities requisite for durable records, and is superior to that made of linen only."

"A simple and practical test to detect unfit material in paper for records is to repeatedly fold the sheet, and then try the strength; if it breaks easily at fold, it is either made of cheap, tender stock, or is adulterated with material having no textile strength."

The destruction of the paper in some of the ancient records seems to be unaccounted for, unless the cause lay in the paper itself. Pages have changed color until they have become almost black, and the paper has cracked in irregular lines, the same irregular shape following through very many of the leaves as if cut with a die, and pieces of the pages have dropped out. The darkest and weakest spots are in the centre of both the leaf and the book, the edges of the leaf and the outside leaves showing less of the deterioration. The explanation of this decay advanced by an old and practical paper maker is that the acid used in bleaching the rags was not washed out, and, the heaviest pressure in binding having come upon the centre of the pages, the acid took greater effect there. The ink used upon these discolored pages is as bright as when applied, which is further proof of the permanent character of the ancient inks, and shows that they were not injuriously affected by the acid.

I would advise the repeal of section 1 of chapter 37, and the passage of the following: The matters of public record in any office shall be entered or recorded on paper made of linen rags and new cotton clippings, well sized with animal sizing and well finished; and in the selection of paper for such records preference shall be given to such paper of American manufacture, if it is marked in water line with the word "record," and also with the name of the manufacturer.

The names of many of the paper manufacturers of this State are sufficient guarantee that their paper, if marked as required, is what it purports to be; and, if the recording

officers will procure record paper of their manufacture, there may be no fear of the permanency of the records, as far as the paper is concerned. Especial care should be taken to procure proper paper when it is purchased already bound, as much worthless paper is in the market in that form.

I have received by mail, and in person during my visits to the several towns, much complaint of the quality of the paper and binding in the books furnished by the Commonwealth for the use of the town clerks and assessors. Many of the towns have at their own expense rebound the books, but there is no remedy for the poor quality of the paper. The Commonwealth should certainly set a good example in this respect, if it intends to require strict compliance with the law on the part of town officers.

RECOMMENDATIONS.

The recommendations may be summarized as follows : —

That the laws in regard to city and town records be considered and revised, with a view of more clearly fixing the question of their custody, and providing for improvement in their condition.

That salaries be fixed by statute for town clerks ; the fees to be paid to the towns ; the clerks to be elected for longer terms, be made clerks of all boards but members of none, and be required to have an office.

That the records of collectors be placed in possession of the cities and towns.

That every retiring town officer be obliged to deliver, under oath, to his successor in office, all town records and property.

That hereafter upon the division of a town the records shall remain in the town whose name they bear, and that all records now in towns other than those bearing the name in such records be returned to the parent town, provided their safety is not endangered thereby.

That churches or religious societies which have ceased to hold *religious* meetings for a term of years be declared extinct.

That the records of the proprietors of the common and

undivided lands be copied, and placed in the registries of deeds in the district where the lands are situated.

That the registers of deeds be elected for the same term for which registers of probate and clerks of the courts are elected, — five years, — and that a new system of indexing be established, to meet the needs of the several registries.

That more security be provided for the records and files in the registries of probate.

That the subjects of paper and ink for records receive the attention which their importance warrants.

ROBERT T. SWAN,

Commissioner.

APPENDIX.

R.

The TENDER, a Form of which is sent herewith, should be marked on the cover "Tender for Ink," and addressed to "The Controller of H.M. Stationery Office, Princes Street, Storey's Gate, S.W."

H.M. STATIONERY OFFICE,

22nd August, 1889.

GENTLEMEN,

I have the honour to request that you will have the goodness to acquaint me, before 12 o'clock noon, on Monday, the 23rd September next, with the prices at which you may be willing to supply this Office with Ink and Ink Powders, at such periods, and in such quantities, as may be required for use in the Public Service, from the 1st January, 1890.

The probable quantities which may be required annually are stated in the annexed Specification, but the quantities actually ordered may be more or less in any degree, according to the demands of the Public Offices.

Samples of the Jars to be used may be seen, and particulars in regard to packing (when Ink is so ordered) will be given at the Stationery Office, where such further information as may be desired will be furnished.

Each description of Ink, &c., may be tendered for separately, but all the items will not necessarily be given to one Contractor.

Each tender to be accompanied by 4 Imperial Quart Jars of each description of Ink, and by 12 of each of the Ink Powders proposed to be supplied.

No Tender which has been accepted will be allowed to be withdrawn or altered.

I am,

Your obedient Servant,

T. D. PIGOTT,

Controller.

R. SPECIFICATION for the Supply of INK and INK POWDERS to H.M. Stationery Office.

DESCRIPTION	Probable Annual Quantity	Rate per dozen	AMOUNT		
			£	s.	d.
BLACK WRITING INK.					
To be made of Best Galls, Sulphate of Iron, and Gum. The Sulphate of Iron not to exceed in quantity one-third of the weight of the Galls used, and the specific gravity of the matured Ink not to exceed 1045° (distilled water being 1000°).					
Gallons	} Imperial	600			
Quarts		20,000			
Pints		2,500			
Half-Pints		600			
Total			£		
BLACK COPYING INK.					
To be made of the above materials, but of a strength one fourth greater than the Writing Ink, and with the addition of Sugar or Glycerine. The specific gravity of the matured Ink not to exceed 1085°.					
Quarts	} Imperial	1,800			
Pints		200			
Half-Pints		100			
Total			£		
BLUE-BLACK WRITING INK.					
To be made of finest Galls, Sulphate of Iron, Gum, Indigo, and Sulphuric Acid. The specific gravity of the Ink when matured not to exceed 1035°.					
Quarts	} Imperial	5,500			
Pints		1,000			
Half-Pints		150			
Total			£		
BLUE-BLACK COPYING INK.					
To be made as the Blue-Black Writing Ink, but of a strength one fourth greater, and with the addition of a sufficiency of Sugar or Glycerine. The specific gravity of the Ink not to exceed 1075°.					
Quarts	} Imperial	400			
Pints		1,000			
Half-Pints		50			
Total			£		

DESCRIPTION	Probable Annual Quantity	Rate per dozen	AMOUNT		
			£	s.	d.
RED WRITING INK.					
The basis to be derived from Cochineal.					
Quarts } Imperial	1,000				
Pints } Imperial	7,500				
Half-Pints } Imperial	1,300				
Total		£			
BLUE WRITING INK.					
The basis to be derived from Indigo.					
Pints } Imperial	1,300				
Half-Pints } Imperial	100				
Total		£			
RED COPYING INK.					
The basis to be derived from Cochineal, but of a strength one-fourth greater than the Red Writing Ink, and with the addition of Sugar or Glycerine.					
Quarts } Imperial	20				
Pints } Imperial	350				
Half-Pints } Imperial	50				
Total		£			
BLACK WRITING INK POWDERS.					
To be made of the same ingredients as the Black Writing Ink, reduced to a powder. The Sulphate of Iron to be dehydrated before mixture with the Gall's and Gum. One powder to make one pint of ink.	9,000	6.			
BLACK COPYING INK POWDERS.					
To be made as the Black Writing Ink Powders, with the addition of a sufficiency of Sugar. Three powders to make one pint of Ink.	1,200				
RED INK POWDERS.					
The basis to be derived from Cochineal. One powder to make one pint of Ink.	3,500				

CONDITIONS.

The Ink to be delivered at the Stationery Office, or at such other place in London as may be directed, and by the dates specified on the orders.

Each Jar to bear a printed label to a pattern which may be seen at the Stationery Office.

Should the quality of any delivery be found to be inferior, the Controller will have power to reject it without appeal from his decision. In the event of such rejection, or of the quantities ordered not being delivered at the specified dates, the Controller will have power to purchase elsewhere and to charge the excess of price, if there be any, against the Contractor.

When Ink is ordered to be "packed" it will, before being delivered at the Stationery Office, be securely placed into strong casks, for which a reasonable price will be allowed. Any damage caused by breakage in transit to the Country will be made good by the Contractor.

The Contract will commence on 1st January, 1890, and, if performed satisfactorily, will remain in force for one year certain, after which it may be terminated by the Contractor or the Controller of the Stationery Office at three months' notice, in writing, to be given at any time after the 30th September, 1890.

The person whose tender is accepted will be required to enter into a deed of contract if called upon to do so by the Controller.

No member of the House of Commons shall be admitted to any part or share of the Contract, or to any benefit to arise therefrom.

TENDER

do hereby agree and willing, to supply to Her Majesty's Stationery Office, Westminster, Ink and Ink Powders, of such descriptions, at such periods, and in such quantities, as may be required for use in the Public Service after 1st January, 1890, at the prices set against them in the foregoing Specification, and subject to the foregoing Conditions.

SIR,

Your obedient Servant

Name _____

Residence _____

Date _____

*To the Controller of**H.M. Stationery Office,**Westminster.*

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COMPLIMENTS OF

Robert A. Livan

Commissioner
of Public Records.

FOURTH REPORT

ON THE

CUSTODY AND CONDITION OF THE PUBLIC RECORDS

OF

PARISHES, TOWNS, AND COUNTIES.

BY

ROBERT T. SWAN,
COMMISSIONER.

BOSTON :

WRIGHT & POTTER PRINTING CO., STATE PRINTERS,
18 POST OFFICE SQUARE.

1892.

Commonwealth of Massachusetts.

OFFICE OF THE COMMISSIONER ON PUBLIC RECORDS
OF PARISHES, TOWNS, AND COUNTIES,
9 PARK STREET, BOSTON, MASS., Jan. 1, 1892.

To the Honorable Senate and House of Representatives.

I have the honor to submit the fourth report of this commission. That the report contains much fault-finding is not from any spirit of pessimism, but because the facts warrant it, and those are not presented at their worst. To so present them would cast reflection upon certain individuals, where the law or the city or town is in fault.

By chapter 103 of the Resolves of 1889, which continued the commission, it expires on March 1, 1892. The history of its creation and early work are fully given in the first report, presented to the Legislature in January, 1889; and the second recites the resolve which continued it, and gave it the additional power to take such measures as should secure the preservation of the records.

At the risk of inviting the charge of magnifying the office, I do not hesitate to state that no more important work has ever been laid out by the Legislature; no work has been so far delayed beyond the time when it should have been commenced; and there is nothing more important to the whole people than that the work should be continued, and a supervision exercised over the records of the counties, cities, towns, churches, and their associate bodies. In making this statement I but repeat the opinion of many who have given much attention to the matter.

Mr. Justin Winsor, who is an acknowledged authority upon this and kindred subjects, writing from London in regard to the care given to the public records in England, says: "The progress of the movements which have resulted

in the present conditions here can be readily matched with ourselves, if we are wise enough to move forward in much the same way, for the circumstances in England fifty years ago were not far from the same which prevail with our government to-day." Massachusetts has been the first to be "wise enough to move forward" in this work, and is already looked to by leading men in other States as an example.

April 1, 1634, the court ordered that the record of the land of every free inhabitant should be "sufficient assurance" to him. Sept. 9, 1639, records were ordered to be kept of all wills, administrations, and inventories; and courts, magistrates, and commissioners were ordered to record their judgments with the evidence in each case "to be kept to posterity." Dec. 10, 1641, every town was ordered to choose a "clerk of the writs;" and Oct. 20, 1646, a clerk or some one was to be "appointed or ordained to keep a record of marriages, births, and deaths."

By these successive steps the records in the registries of deeds, registries of probate, the courts, and towns, were authorized; and the Commonwealth has constantly been requiring by new legislation that more complete records shall be kept, and that public and private rights shall depend upon the matter recorded, until now the amount annually paid in the Commonwealth at public expense, and required to be paid by individuals, must aggregate thousands of dollars. To pay for making these records and then allow them to go to destruction is folly in the extreme.

Nov. 11, 1647, it was ordered that, to the end that all records of the Colony "may be safely preserved and improved, a strong press made of very firm oak planks be kept in some place convenient at Boston, by direction of the Governor." A press was also to be provided wherever any court of record was holden, and from time to time legislation tending to the safety of the records has been enacted. May 15, 1851, county commissioners, city governments, and selectmen, were ordered "to have all books of public record or registry," belonging to the counties, cities, and towns, "well and strongly bound, and other papers and documents filed and arranged in a careful and orderly manner." They were also ordered to provide, at the expense of the county,

city, or town, "a suitable place for the safe keeping and preservation of the public records and other valuable documents, where they shall be deposited and securely kept." The clerk or register of any county, city, or town, was ordered to "keep all records and written documents in his sole custody, and in no case except upon summons in due form of law to have them or cause or permit them to be removed or taken away." April 10, 1857, city governments and selectmen were ordered to provide, at the expense of their respective cities and towns, safes "of ample size for the safe preservation of books of record or registry, and other important documents or papers belonging to said city or town;" and it was made the duty of the clerk of each city and town to keep such records and papers in the safe "at all times when they were not wanted for use."

The detailed account of the condition of affairs presented in the last and this report will show how little attention has been paid to these later laws, or to any of the provisions of chapter 37, relating to public records; and, while under the spur of the State supervision improvement has been made, without that supervision the same neglect will be continued.

If any system of State inspection and supervision is to be continued, the laws in regard to public records should be revised, and authority given to some one to compel compliance with them. Without that supervision affairs will drift along as they have in the past, and it will matter little what law is upon the statute books.

TOWN RECORDS.

The town records have received my principal attention during the year, both because they have been the most neglected, and because I have desired to report upon as large a number of towns as possible, that the Legislature might fully realize the condition of affairs. The comments upon town records in the last report, based upon inspection of the records in the towns there named, will apply with equal force to the towns here reported upon. Many of the latter which would have appeared as grossly negligent in 1890, have made improvement by providing safes, and

appear in a better light than neighboring towns inspected in that year. The date of the visit of inspection is given in parentheses.

When records are reported as in good condition, exception must usually be made in regard to the volumes formerly furnished by the State for recording births, marriages, and deaths, as these were never suitable for use.

ABINGTON (June 30, 1891). The town offices are in a brick savings-bank building, where there is a good vault in which all the records are kept, except the current, which the clerk has in a safe in his office. The records are in good condition, with the exception of one or two early volumes which need binding. A copy of the first volume of town proceedings has been made but not certified. The assessors' lists from 1783 to date are preserved, the very early ones, which were in small pamphlets, having been arranged and substantially bound. The collectors' records for many years are in the town office, but not arranged or in the vault. Marriage certificates and burial returns have all been preserved since 1873, and there are a few from 1860. The rebellion record has been recently written up as far as possible.

ACTON (Oct. 26, 1891). Wooden town hall, but no records are kept there. The clerk has a safe at his house, where the current records and all records of births, marriages, and deaths are kept. All the other records of the town are in a brick vault in the public library building. The records are all in good condition, and all the files have been systematically arranged and placed in the vault. Marriage certificates and burial returns have been preserved since 1887. The old valuation lists from 1772 are preserved. The collectors' records have not been returned to the town.

ACUSHNET (Sept. 14, 1891). Wooden town hall at Acushnet Village, in which there is a safe new this spring, where the selectmen's and assessors' records are kept. The clerk has a small safe of doubtful value in his store at Long Plain, where his records are kept; this is full. Marriage certificates and burial returns have been preserved since 1887, and possibly longer. The collectors' records have nearly all been returned to the town. The records are all in good order.

ANDOVER (May 28, 1891). Brick town hall. The clerk keeps the office open in business hours, and is clerk of all boards except water and health. There is a very large safe, which in its position

is considered absolutely safe, used for the most important records of all departments, a large vault being used for the storage of all old records and files of papers. Marriage certificates and burial returns have been preserved since 1882, and there are a few earlier. The records of the collectors prior to 1882 are in private possession. The assessors' lists are complete in bound volumes from 1680. The rebellion record has not been written up, but the record of all soldiers has been printed by a private citizen. The clerk has the index of all instruments as required, and another more in detail. The records are in good order. The first volume of proprietors' records has been interleaved and bound, and is practically complete, although some leaves are mutilated. There are two volumes made up evidently from copies of deeds and other land records. A second volume of births, marriages, and deaths, which was much mutilated, has been interleaved and rebound, and the missing information supplied in most cases. All births, marriages, and deaths, and intentions of marriage to 1723, have been printed in the "Andover Townsman." The water commissioner and board of health have separate offices, and their records are in safes.

ARLINGTON (Oct. 21, 1891). Brick town hall. The clerk is clerk, treasurer, collector, water register, and clerk of the selectmen, and until last year was clerk of the assessors also. There is a good vault, in which the town records, files, plans, etc., are kept, but it is so full as to prevent convenient arrangement of the papers. The records are all in good condition. Marriage certificates and burial returns have been preserved since 1870, and possibly earlier. The collectors' records have been returned to the town since about 1850. The rebellion record has been written up. The records of the First Church and Parish have been placed in the town vault for safety. The clerk has a file of printed town warrants.

ASHBY (Oct. 30, 1891). Wooden town hall, used also as a school-house, with the town office in the basement. There is an old safe of doubtful value there, unused, the lock of which has been made useless by burglars. A large safe contains the older records, and a small safe at the clerk's house contains the later. The valuation lists from 1816, in pamphlets, are in the safe; those from 1790 to 1815, together with many papers dating from very early times, were carefully filed by a clerk many years ago, and are kept in closets in the office. Marriage certificates and burial returns have been preserved since 1887. The collectors' records for several occasional years are in possession of the town.

ASHLAND (July 7, 1891). Wooden town hall, in which the town officers have a room. There is a small safe there, containing some miscellaneous records. Files of papers are not in a safe. The clerk has a small old safe in a building occupied by him as a printing office, in which all his records are kept. This contains papers also which cannot be arranged owing to want of room. The valuation lists are in the town hall, not in a safe. The money has been voted by the town for a vault. Marriage certificates and burial returns have been preserved since 1871, except for a part of 1891, during the term of the former clerk. The collectors' records have not been returned to the town.

ATTLEBOROUGH (June 3, 1891). The town offices are in a brick business block, and the clerk's office is open in business hours. There is a good vault there which is crowded to overflowing, all the records of the town being kept there. The general condition of the older records is very bad. The former clerk had urged the binding of them for several years, but the town would appropriate no money. The earliest records of births, marriages, and deaths are contained in some thirty loose sheets, badly mutilated, which were collected by the clerk's assistant and are kept in a bundle. Most of the earliest records of births, marriages, and deaths, town meetings, and all the proprietors' records, are in very bad condition, in remnants of parchment covers, and much mutilated. Some very late volumes were at a book-binder's, in Providence, for binding. Many of the old records, which were in possession of the clerks before a town office was established, are known to be lost. Marriage certificates and burial returns have been preserved since 1875. There are copies of assessors' lists from 1794, though many of the originals are missing. The collectors' records are not in possession of the town. The rebellion record has been written up.

AVON (Dec. 9, 1891). No town hall. The town offices are in a wooden building used also for stores and as a dwelling. There is no safe there, but there is a good safe in the engine house opposite, where the clerk keeps his records and papers. The assessors' records are kept at the house of the chairman, in a safe of his own. The records are all in good condition. Marriage certificates and burial returns have been preserved since the organization of the town, and the collectors' records are also in the town's possession. The record of births made by the first clerk is very deficient in Christian names.

BARRE (Aug. 29, 1891). Wooden town hall, in which part of the records have been kept until recently; they are now in a room in the basement of the Woods Memorial Library Building, which is considered fire-proof. The town clerk has a small safe of doubtful value in his store in a wooden building, where the records of births, marriages, and deaths, and his later records, are kept. There are two large safes in the library building, one containing the early records of town proceedings, intentions of marriage, and miscellaneous records; the other containing the assessors' records from 1800, which are all bound. The first volume of town proceedings, the first volume of births, marriages, and deaths, and some volumes of miscellaneous records, need binding. Marriage certificates have been preserved in full from 1870, and partially from 1866 to 1870. The files of papers have been partially arranged, and are in book-cases in the building. The rebellion record has been written up. The clerk has commenced copying the births, marriages, and deaths. The collectors' records have not been returned to the town.

BELLINGHAM (July 16, 1891). Wooden town hall, with a large safe purchased this year, and a small older one. All the town records and papers are kept in these, except a few books of current records which are at the clerk's house, not in a safe. Many old records and papers, which the clerk has rescued from an old chest and other receptacles, and which he is about to sort and file, are now in the new safe. The proprietors' records, the first and second volume of town proceedings, the first volume of births, marriages, and deaths, and one treasurer's book, are in bad order and need binding. The valuation lists from 1811 are bound, and among the papers to be arranged are lists for many years between 1767 and 1811. Marriage certificates and burial returns have been preserved since 1887, and there are some bearing date as early as 1851. The clerk has two volumes of records of John Bates, justice of the peace, from 1808 to 1848, and one of Saville Metcalf, from 1846 to 1860, containing among other matters the records of marriage ceremonies performed by them. The collectors' records have not been returned to the town.

BELMONT (Oct. 24, 1891). Brick town hall, used for town offices, library, and savings bank. There is a good vault, in which the clerk's and selectmen's records are kept. The assessors have a safe in which their records are kept. Marriage certificates and burial returns have been preserved since 1870, and certificates of births since 1876. The collectors' records from the organization

of the town are in its possession. The town plans are all in the vault. All papers are filed and arranged, and everything is in good condition.

BERKLEY (Sept. 22, 1891). Wooden town hall. The clerk has a very small safe in his dwelling, insufficient for his records, and of very doubtful value. The last two volumes of the assessors' records are at his house, not in a safe; the others being in the town hall, not in a safe. The first volume of records is in bad condition and needs binding; the others are in good condition. A committee was appointed some time since to attend to making copies of the records, but nothing has been done in the matter. There is an accumulation of files of papers at the town hall, unprotected from fire. The collectors' records have not been returned to the town as a rule. Marriage certificates and burial returns have been preserved for about six years.

BILLERICA (July 22, 1891). Wooden town hall, with a small old safe which contains the clerk's records. The selectmen's records are in possession of the chairman, not in a safe. The later records of the assessors are in possession of the chairman, not in a safe; those from 1822, except 1823 and 1825, are in a closet in the town office. The first, second, third, and fourth volumes of town proceedings, and the first and second of births, marriages, and deaths, are in bad order and need binding. The first and second volumes of proceedings, and the births, marriages, and deaths up to 1855, have all been copied within the year. Marriage certificates and burial returns have been preserved since 1887, but are not in the safe, as there is no room. The collectors' records have not been returned to the town. When the present clerk came into office in 1855 the records were scattered about the town, and the fourth volume of town proceedings, covering the years from 1753 to 1778, has never been found.

BOXBOROUGH (Oct. 26, 1891). Wooden town hall, with a room called the town office. There is a small old safe there, unused. In the entry is a large new safe which contains all the records. One old volume is in bad condition. The assessors' lists from 1795 to 1844 are in sheets, unbound. Marriage certificates and burial returns have been preserved and filed during the term of the present clerk, since 1885, and there may be some earlier ones in two chests containing miscellaneous files. The collectors' records have not been returned to the town.

BROOKLINE (Oct. 9, 1891). Stone town hall. The clerk has a large vault in his office, where all his records are kept. The first

volume is in frail condition, and is kept in a wooden case made for its protection. The second volume needs binding. Other records are in good condition. The clerk has most of the town papers, ancient and modern, plans, etc., in his vault, filed as conveniently as space will allow. A large vault has just been completed in the basement, which will be occupied, as soon as dry, for the storage of the overflow from the vault and the safes of all departments. Marriage certificates and burial returns have been preserved since 1852, although those for 1858 and 1859 were lost some years ago, while moving to the new town hall. The clerk has recently obtained a small book called the "Selectmen's Book," beginning with 1774. The treasurer and collector has a safe for his records, and uses the clerk's vault for the overflow. The collectors' records have been returned to the town since 1850. The assessors have a safe in which the current records are kept, the earlier ones being in the clerk's vault. Those from 1841 are bound, and the lists prior to that, from very early date, are packed away in boxes in the vault. The water board has a safe for its records.

CANTON (Oct. 7, 1891). Brick town hall, containing the town offices. The clerk has a safe there in which his records are kept. The selectmen have one also for theirs. There is a small vault in which the older records are kept as they become less frequently used. All records of town meetings have been copied, and by provisions of town by-laws duplicates are kept, the originals and copies being kept in different places. Records are all in good condition. Marriage certificates and burial returns have been preserved since 1870. The collectors' records have not been returned to the town. The valuation lists for 1796, 1799 to 1834, 1836 to 1847, and 1850 to 1891, are in the vault, those to 1827 being in pamphlet form. The town has copies of the tax lists of Stoughton from 1727 to 1796. Prior to 1881 records and files were scattered about in various places in the town.

CARLISLE (Oct. 22, 1891). The lower floor of a church is used as the town hall and town office. There is a very small old safe, apparently worthless, containing nine volumes of the old records, which fill it. All other records and papers at the hall are in a book-case or chest. The clerk has no safe; all the later records, and the ancient records of births, marriages, and deaths, being in drawers at his house. The valuation lists are complete, the oldest being in the records of town proceedings, those for many years following being in pamphlets. Very little information could be obtained in regard to the ancient files. About 1870 a committee

went through the papers, which had been carefully preserved by a former clerk, and the destruction of many is said to have been authorized. The collectors' records have not been returned to the town.

CARVER (July 6, 1891). Wooden town hall, built in 1887, with a large safe purchased this year, and a small old one, in one or the other of which the clerk's records and the later records of the assessors are kept. Found a chest of old papers, containing among other things old valuation lists in confusion. The records are in good condition. There seems to be no record of deaths prior to 1843, except a partial record in a volume arranged by families. A copy of the location of highways contained in the older records is being made in a separate volume. The collectors' records from 1881 to 1884 only are in possession of the town. Marriage certificates and burial returns have been preserved since 1879.

CHELMSFORD (Dec. 5, 1891). Wooden town hall, containing town offices and a social library. There is a good vault here, containing all the older records and papers. The clerk has a small town safe in his store, where the current records are kept. The selectmen have a safe in their room, containing their records and the later valuation lists. Several of the oldest records need binding, the others being generally in good condition. The clerk has filed nearly all the town papers, some of as early date as 1717, and has made a catalogue of all records and printed volumes belonging to the town. He has also indexed all records. Marriage certificates and burial returns have been preserved since 1887. The collectors' records have not been returned to the town, except for a very few of the latest years. The rebellion record has been written up.

CHELSEA (May 15, 1891). Brick city hall. The city clerk has a good vault and a large safe, in which all his records, which are in excellent condition, are kept. The city engineer has a good vault in which his plans are kept. The assessors' records for a few of the later years are in a safe in their office; the earlier ones from 1805, bound and in fair condition, being in the city engineer's vault. There is a single valuation list there for the year 1785. The treasurer and collector has a good vault. The collectors' records from 1850 are in possession of the city, and there may be earlier ones which were not readily accessible. There is a large vault in the basement, perfectly dry, used for the overflow from the departments. The collector has adopted canvas bindings for

his records, finding that they are not injured by the burning of gas in the vault, as leather bindings are. Marriage certificates and burial returns have been preserved since 1849. The water board and board of health have rooms in a separate building, and their records are in safes.

CHICOPEE (Nov. 19, 1891). Brick city hall, with a large fire-proof vault. The city clerk is also treasurer, and at present keeps all records of the city in the vault, with the exception of some of the valuation books, which are in an old safe. The files are in the vault also. Action is being taken towards providing additional fire-proof receptacles. The records are in excellent condition. The clerk has discarded the books provided by the State, and adopted those of his own. The returns of deaths have nearly all been preserved since the establishment of the town, and the returns of births since 1887. The collectors' records are kept in a bank vault, and nearly all of the old ones are in possession of the city. The records of the overseers of the poor and the plans of public work are in the vault.

COHASSET (Dec. 3, 1891). Wooden town hall, used also as a public library. The selectmen have a room on the second floor, where there is a safe used by the clerk, selectmen, and treasurer, for the later records and copies of the older. There is a large old safe in the hallway on the lower floor, where the old records are kept, including valuation lists in pamphlets apparently complete from 1753. The collectors' records from about 1860 have been returned to the town, and are now in this safe; both safes are, however, full. The first volume of town proceedings needs repairing, the other records being in good condition. The clerk keeps part of the current records in his own safe at his store. The births, marriages, and deaths have been preserved since 1873, and filed since 1887.

CONCORD (Nov. 30, 1891). Brick town hall, containing the town offices. There is a good brick vault used by the clerk, which is used also for the records not in use by the other departments. The selectmen have a safe in their room, used for their records and those of the water board and board of health. The assessors' records for the last two or three years are in possession of the chairman, not in a safe. The valuation lists, in pamphlets from 1796 to 1825, from 1826 to 1849 in thin leather covers, and from 1850 bound, are in good condition. A few of the oldest volumes of town proceedings, and births, marriages, and deaths, are in

bad order and need renovating and binding; part of these have, however, been copied. The copies are kept in the vault of the insurance company, near by. Marriage certificates and burial returns have been preserved for about thirty years, but not filed. An appropriation of five hundred dollars has been made this year for printing the early records of births, marriages, and deaths.

DARTMOUTH (June 1, 1891). No town office. An old safe, apparently worthless, is in an L of the clerk's dwelling, having been removed from the barn of the previous clerk. It contains the clerk's records, and is full. The ancient records are in the worst possible condition. There are three packages of loose leaves bundled up and marked "Loose portions of the Dartmouth records," in such disarrangement as to make it impossible to give dates. One volume of births, marriages, deaths, and marriage intentions, with dates entered promiscuously from 1747 to 1820; one smaller volume from 1722 to 1768; and one old volume of ear marks, are greatly dilapidated. The dilapidated volumes reported in 1890 as in New Bedford are still there. One early volume of town meetings, and one of births, marriages, and deaths, have been repaired and rebound. About twenty valuation books were in the attic of the clerk's house, together with public documents, etc.; those from 1858 to date were in possession of the clerk of the assessors, seven miles away. Some previous to 1858 were put into the hands of one of the selectmen at North Dartmouth, their whereabouts now being uncertain.

DEDHAM (Oct. 20, 1891). Stone town hall, in which the clerk has an office and a safe. The current records are kept there. The selectmen also have an office there. There is a large vault in the brick Memorial Building, where, by arrangement with the historical society, any town or church records can be kept, and all records not in the clerk's safe or selectmen's vault are kept there. Many churches have deposited their records there also. The society has collected all old records and papers of any kind relating to the town that can be found, and these have been arranged and deposited in the vault. All of the old records have been rebound, and are in good condition. Marriage certificates have been preserved and filed since about 1850. Many original files, none, however, ancient, are in drawers in the town office. The collectors' records since 1850 have been returned to the town.

DIGHTON (Sept. 22, 1891). Wooden town hall, where the assessors' records from 1830 are kept, not in a safe. The clerk has an old safe in a small tool-house where all his records are

kept. This is crowded full, and would be valueless in a building of any size. Part of the files of papers are in his house, unprotected from fire. The first volume of proprietors' records, and the first and second of town proceedings, need binding. The first volume of births, marriages, and deaths is in tatters, and, although it has been copied, has not been certified. Other records are in good order. Marriage certificates have been preserved since 1881; burial returns since 1885. The collectors' records have not been returned to the town. The rebellion record has been written up.

DOVER (Oct. 20, 1891). Wooden town hall, but no town office. There is a large safe there, in which the selectmen's and assessors' records are kept. There are several chests of papers in both the old and the new town hall. The clerk has a new safe at his house, in which his records are kept. The first volume has been rebound, and the records are in good condition. The later valuation lists only are kept at the town hall. Marriage certificates and burial returns have been preserved during the term of office of the present clerk only, — two years. The collectors' records have not been returned to the town except for last year. The rebellion record is written up.

DRACUT (July 22, 1891). The town office is a very small stone building, where there is a vault in which most of the records are kept, except the marriage intentions and tax lists, which are in a safe at the clerk's office at Collinsville, five miles from the town office. There is a worthless safe in the town office, which contains some of the selectmen's records and the valuation lists for the last ten years. Some miscellaneous records and files of papers are in the book-case. The first volume of town proceedings is lost; the second, fourth, and fifth volumes have been copied, and the third is being copied. The births, marriages, and deaths have all been copied and indexed within a year, and all copies have been certified. All the records are in good order, the older ones having been rebound. The valuation lists are all in possession of the town; those from 1769 to 1824, which were in pamphlets, have been arranged and bound. Marriage certificates and burial returns have been preserved from 1890 only. The collectors' records have not been returned to the town.

EVERETT (July 21, 1891). The town offices are in a business block, where the clerk, treasurer, and assessors each have safes, the clerk's being new this year. All the records are kept in these, except the record of marriages, which is in a safe at the clerk's

business office. The records are all in good condition. Marriage certificates and burial returns have been preserved since the organization of the town. The collectors' records have all been returned to the town.

FALMOUTH (June 10, 1891). Wooden town hall, with a good vault, in which all records are kept except a few current ones, which are in a safe in the clerk's store. The records are in good condition with the exception of a volume of proprietors' records and the first of town. The copies that have been made have been certified. The collectors' records have not been returned to the town. Marriage certificates and burial returns have been preserved since 1887.

FOXBOROUGH (July 11, 1891). Wooden town hall, used also for a school-house. There is a large vault there in which all the records are kept. The assessors' records are nearly complete from 1780. Marriage certificates and burial returns have been preserved since 1886. The collectors' records have not been returned to the town. The first and second volumes of town proceedings, and the first volume of births, marriages, and deaths, are in bad condition and need binding. Copies of these have been made but not certified. The papers have been filed, and those and the records are all especially well arranged for reference. The rebellion record has been written up. All plans which have been preserved are labelled and arranged in the vault.

GRAFTON (May 11, 1891). A brick block is occupied on the lower floor by the public library and for business purposes. The town offices and court room are on the second floor. Here also is the town hall. There is a good brick vault annexed to the building, which contains the town clerk's records and those of the assessors. The selectmen's records are in possession of the clerk of the board, and are not kept here. The assessors' records from 1832 are bound and in good condition. One volume of proprietors' records is in very bad order, and four volumes of records of town proceedings need binding. Marriage certificates and burial returns have been preserved since 1875. The collectors' records from 1864, and a few for occasional years earlier, are in possession of the town. Many ancient papers were burned in the fire of 1860 or 1861.

GROVELAND (May 18, 1891). Wooden town hall, used for town meetings and schools. The town hires a room in a wooden business block for offices. The town clerk has a safe for his records,

in which all are kept. These are in good condition. The selectmen have a very small safe, containing a few order books and records of personal estates. All the valuation books and a few of the collectors' records were on shelves, not in a safe. Most of the collectors' records have not been returned to the town. Marriage certificates and burial returns have only been preserved during the term of office of the present clerk.

HALIFAX (Sept. 11, 1891). Wooden town hall, which is the old original meeting-house remodelled. There is a fine large safe there, purchased in 1889, in which the selectmen's and assessors' records are kept. The selectmen are collecting all the old records and papers which can be found, and are storing them in the safe to be arranged later. The clerk has a new safe in his dwelling, where his records are kept. The first volume is in rather bad order; the others are in good condition. Marriage certificates have been preserved since 1887 only. An attempt is being made to obtain the records of the collectors. The rebellion record has not been written up.

HAMILTON (May 21, 1891). No town hall. The clerk has a very small old safe in his house, safe from fire in its location, perhaps, in which his records are kept. These are in good condition, with the exception of the first volume of births, marriages, and deaths, beginning with 1795, which is in paper covers and should be bound. Certificates of marriage and burial returns have been preserved only since 1890. The selectmen's room is in the basement of a church. Their records and those of the assessors from 1807 are in a good safe, which is, however, full. There is a large accumulation of papers in confusion, among them being valuation lists in pamphlet form, and generally in bad condition, covering most of the years from 1797 to 1806. The treasurers' records of Ipswich Hamlet, from 1736 to the establishment of the town in 1793, are here.

HANOVER (Sept. 21, 1891). Wooden town hall, with a large vault, which has just been completed, attached to the building. The clerk has a new safe in his dwelling and a small old one in which most of his records are kept, the overflow being placed in the new vault. The chairman of the selectmen has a new safe at his house where the current records are kept. All the other records have been placed in the vault. They are all in good order. Marriage certificates and burial returns have been mostly preserved for about twenty years. The collectors' records have been returned to the town. The rebellion record has been written up.

HAVERHILL (Oct. 6, 1891). Brick city hall, the interior of which was burned in 1889 and has been remodelled. The clerk is also treasurer, and has a fine large vault for his use. The records are all in good condition with the exception of a few of the earliest volumes, which need binding, though the pages are in good condition. Several of these have, however, been copied. Marriage certificates and burial returns have been preserved since 1869, and partially filed. There is a large vault on the ground floor, where the older files belonging in the clerk's office are kept, arranged in the most methodical manner. This vault is used also for the storage of records or papers belonging to other departments, for which there is not room in their vault or safe. The collector is also secretary of the assessors and clerk of the overseers of the poor. He has a large vault in which his records and those of the assessors and overseers are kept. The assessors' records are nearly complete from 1722. The collectors' records from 1841, and possibly earlier, have been returned to the city. The records of the registrars of voters are in the clerk's vault, and the plans of the city engineer are either in one or the other of the vaults. A few unimportant papers were burned in the fire of 1889.

HINGHAM (Dec. 3, 1891). Wooden town hall, in which the selectmen have their room. There is a large vault here, well arranged, built about three years ago. This contains a large number of ancient files of papers, including many assessors' lists in pamphlet form or in sheets, and copies of the same, and all other records which are not contained in the safes. The law reports are also kept in the vault. There is a safe in the selectmen's room in which the oldest records and copies of them are kept. The clerk has a safe also, kept in a small out-building at his house, probably fire-proof in its present location. All the records of births, marriages, and deaths, and the records of town proceedings, from the sixth volume, are in this safe. The records are in excellent condition, all the oldest having been repaired and bound; and there are many copies of the old records, made some fifty years ago, which are also in excellent condition. A duplicate has been made of the town records for a number of years, one copy being in the clerk's safe and one in the safe at the town hall. Marriage certificates and burial returns have been preserved since 1887. The collectors' records have not been returned to the town. Two volumes of proprietors' records have recently been recovered by the clerk. The clerk has a separate record of persons born in Hingham who die in other towns in the State, taken from the

returns at the State House, beginning in 1843. The town voted some time ago to build a fire-proof building for a town office, but for some reason reconsidered the vote later.

HOLBROOK (Oct. 16, 1891). Brick town hall, used in part for business offices. There is a good vault, in which the records and files of the clerk, selectmen, and all the town officers are kept. A wooden town hall was burned, and the contents of the town safe were wet, and most of the important records had to be rebound. All are in good condition now. Marriage certificates have been preserved since 1887.

HOLDEN (Aug. 11, 1891). Wooden town hall, containing one large safe in which the assessors' records are kept, all having been preserved, and all from 1787 to the time the State commenced furnishing blank lists having been copied. There is an old safe here used by the selectmen, and still another used by the overseers of the poor. The clerk has a small very old safe in his dwelling, which is full, some miscellaneous records being in a rack, not in a safe. The records generally are in good condition, the second volume of town proceedings and two volumes of proprietors' records having been rebound. The later proprietors' records are in excellent condition, and contain plots of most of the land. Marriage certificates and burial returns have all been preserved since 1887, and some for occasional years as early as 1835. The collectors' records have not been returned to the town.

HOLLISTON (Oct. 23, 1891). Wooden town hall, used also as a school-house and public library. The town office is there, with two fine large safes, one used by the town clerk and selectmen, and the other by the assessors and overseers of the poor. All the records are kept in either one or the other. The records are in excellent condition, many of the older volumes being covered with canvas. The files are mostly in the safes. The valuation lists from 1825 are said to be in the assessors' safe.

HOLYOKE (Nov. 19, 1891). Stone city hall. The city clerk, who is also auditor, has a large vault used exclusively by him, which contains all his records and files. His records are in good condition. Marriage certificates and burial returns have been preserved since 1887 only. The assessors and collector have an office together, and one safe used in common. None of the assessors' records, except for the last year, are in the safe. The collectors' records for the past years have been demanded by vote

of the city council recently, and most, if not all, have been obtained. The treasurer has a vault with a safe inside. The city engineer has a room on the second floor, no provision for the safety of his plans being made, his note-books being kept in a small safe of his own. The overseers of the poor have a small safe, put in this year, suitable for their uses for a short time only. The water commissioners have a vault where their records and plans are kept. There is a storage vault also for the overflow of all departments.

HOPKINTON (Oct. 17, 1891). Wooden town hall, the lower floor of which is used for town offices. There is a small vault and a large safe there, the latter being used exclusively by the clerk, while the vault is used by other boards and for the overflow from the safe. A fire which burned the town hall in 1882 burned some records and files, and the records in the safe were badly injured in their bindings and somewhat defaced by water. The very oldest of these need renovating and the later volumes need new covers. Marriage certificates and burial returns have been preserved since 1881, the term of the present clerk. The assessors' records prior to 1881 were burned. The collectors' records for most of the years since 1840 are in possession of the town. The clerk had just been elected when the fire took place in 1882, and is consequently unable to tell what records and files were burned. The volume of proprietors' records called "Records of the Proprietors of the Lands of the Tenants of Hopkinton and Upton," from 1745 to 1825, which was supposed to be at East Cambridge, is and has been in Hopkinton.

HUBBARDSTON (Aug. 20, 1891). Brick public library building, used also for a post-office, store, express office, etc., the town offices being in the basement. The clerk has a very small safe belonging to the town in his store in this building, in which all his current records are kept; an old safe in the basement contains all the other records. Four volumes of town proceedings need binding. Marriage certificates and burial returns have been preserved since 1887. The collectors' records have not been returned to the town. The rebellion record has been kept up very fully.

HYDE PARK (May 1, 1891). The town office is in a brick business block. There is a good vault, built independently of the building, which joins it in the rear, and in it the records of all departments are kept at all times. The records are all in excellent condition. The collectors' records are all in possession of the

town. A large map of the town, and some sixty plates about three by six feet, giving the streets with grades, etc., are in the vault, and there is a large volume giving a survey of every lot in town.

LAKEVILLE (July 6, 1891). Wooden town hall, with an old safe of doubtful value, which contains old miscellaneous records and papers. The clerk has a good safe belonging to the town in his house, where his records are kept. There are many old papers in confusion in the town hall. Marriage certificates and burial returns have been preserved since 1887. An attempt has been made to obtain the collectors' records, but only about two-thirds of them have been found. The rebellion record is partially written up.

LEVERETT (July 15, 1890). Wooden town hall. The clerk has a safe in his shed, in which he keeps his records, which are all in good condition. The collectors' records are all in his possession. The selectmen's records are in possession of the board, not in safes; and the assessors' records are at the town hall, not in a safe. A new safe or vault is under consideration. Marriage certificates and burial returns have not been preserved with any regularity.

LYNN (May 20, 1891). Brick city hall, upon which extensive improvements have just been made, giving several new vaults with thirty-inch walls with air spaces. Plans are being considered for still further improvements, which will make the old vaults unusually safe. The city clerk has a vault in which all his records are kept, and will transfer them to one of the new vaults as soon as it is dry. His records are in good condition. The earliest records, made in diminutive books, have been substantially bound and lettered. Marriage certificates and burial returns have been preserved for many years. The treasurer and collector has all his records in a vault, and will transfer them to a new one soon. The collectors' records since 1860 are in his possession, but earlier ones were probably burned. The auditor uses the vault in the treasurer's office. The assessors have a vault in their office and another on the floor above. Their records are continuous from 1850, and there are occasional volumes between 1793 and 1812; the missing ones were probably burned. The records of the school committee, overseers of the poor, and water board, have not been in safes, but they will all be placed in vaults when the improvements are completed. The board of health will also use one. The city engineer has stored his plans in the vaults of the other departments.

MANSFIELD (June 3, 1891). Wooden town hall. There is a large vault, where the valuation books and all the original records of which copies have been made are kept. The town has a large safe in the clerk's store, where the current records and the copies of the older records are kept. Type-written copies of the first volume of marriages, and the first of births, marriages, and deaths, have been made, and the first volume of town proceedings has been copied by hand; no copies, however, have been certified. The records which had become worn have been renovated and rebound. Marriage certificates from 1887, and a few for some years previous, and burial returns from 1872, have been preserved. The collectors' records are not in possession of the town. Assessors' lists from 1826 to 1866 were found, at the time of my visit, among papers considered valueless, and put into the safe.

MARSHFIELD (Sept. 18, 1891). Wooden town hall, not used for town offices. The selectmen have an office at the poor farm, where there is an old safe in which the more recent records are kept. The clerk has a good safe belonging to the town in his store, where all his records are kept, but it is now full. The first volume of town records is in tatters and the second is in bad condition. The proprietors' records have been recently returned to the clerk, but many leaves have been torn out and they are in bad condition. The original plan of proprietors' lands, on parchment, has also been returned to him. The other records are in good condition. The first volume has been copied but not certified. Marriage certificates and burial returns have been preserved since 1887. The collectors' records have not been returned to the town. The rebellion record has not been written up. The clerk has a large accumulation of old papers in his dwelling, not in a safe.

MASHPEE (June 10, 1891). No town building. There is a large safe in the town clerk's house, purchased from the town of Sandwich in 1889, in which all the town records are kept. They are in good condition. Marriage certificates and burial returns have been preserved during the term of the present clerk, since 1883. The collectors' records have not been returned to the town.

MEDFIELD (Oct. 15, 1891). Brick town hall, let in part for business purposes, containing a town office. There is a very small vault where the records are kept, except a few books in current use, which are in a safe at the clerk's house. The first, second, third, fourth, and fifth, and an old volume which is evidently an

ancient copy, are in very bad order and need renovating; these have all been copied, however, except the first volume and the copy referred to. Marriage certificates and burial returns have been preserved since 1885, the term of the present clerk. The assessors' records since 1829 are bound, and none earlier are known to exist. The fire which destroyed the town hall probably destroyed all files of papers. The collectors' records have not been returned to the town. The rebellion record has been written up in a blotter, but not in the bound volume.

MEDFORD (Oct. 10, 1891). Wooden town hall, the lower floor of which is occupied by various town offices. The clerk is also treasurer and clerk of the selectmen, and has two safes for his especial use. There is an enormous safe built into the building, used for the overflow of records from different departments; and also a small vault with single doors, containing plans and the oldest valuation lists. The first volume of town proceedings is fragile, and the third, and the first of births, marriages, and deaths, need binding. Marriage certificates and burial returns have been preserved since 1865, and there are some scattering ones earlier. The assessors use the large safe and vault. Their records are bound separately from 1793, and the valuation lists are included in the general records from 1684 to that time. The collector and water board have safes for their records. The collectors' records have been returned to the town since 1887, and there are scattering volumes for years prior to 1878, some as early as 1846, in its possession. The board of health has no safe. All records and papers, with the exception of the old volumes of collectors' records, and some files, are in one or the other of the safes or vaults.

MELROSE (June 4, 1891). Brick town hall, with a good vault, occupied in part by the savings bank, in which the assessors' older records are kept. A large safe is used by the collector and for the assessors' later books. Another large safe in the selectmen's room contains their records and those of the auditor and board of health. The water commissioners also have a good safe for their records. The clerk has a safe belonging to the town and one of his own in his apothecary store, in one or the other of which all his records are kept. Marriage certificates and burial returns have been preserved since 1870. The collectors' records for a few years prior to 1870 were burned, and all others that could be obtained are in possession of the town. All files and selectmen's records to 1870 were burned.

MERRIMAC (May 18, 1891). Brick town hall, occupied in part for business purposes. There is a good vault, small, however, and more room is needed. The records are kept there, with the exception of a few which the clerk keeps in his own safe for want of room. Most of the collectors' records are in the town's possession, and all could be obtained. Marriage certificates have been preserved for a number of years, but the burial returns have been preserved for the current year only. The town has a map of the town and also of the several villages, giving the lay-out of highways.

METHUEN (May 28, 1891). Brick town building, in which the clerk and selectmen have an office, open during business hours. A large vault is attached to the building, and in it the clerk, who is also the treasurer and collector, keeps all the records. The first and second volumes of records of town proceedings are in bad condition and need binding. The first has been copied, though not certified. Marriage certificates and burial returns have been preserved since 1859. The collectors' records from about 1850 are in possession of the town. The assessors' lists are complete. The rebellion record has been written up. There is a chest containing old highway lists, etc., etc.

MIDDLEBOROUGH (July 6, 1891). Wooden town hall, with a large vault, used also by the savings bank, in which all the records are kept, with the exception of those of the water commissioners, which are in a safe of their own. There is a safe also within the vault. Two volumes of proprietors' records are in bad condition and need repairing and binding. Some of the oldest records are supposed to be in private possession, and some later volumes have been rebound. There is a volume bearing this title page: "At a town meeting held April 12, 1858, it was voted to choose a committee of one to copy the records now in the hands of Seth Miller, secretary, for the benefit of the town . . . In accordance with the above vote the following 260 pages have been copied from the original at the house of Seth Miller, secretary, he refusing to permit them to leave his hands. Of their authenticity and value there can be no doubt, they having descended to him from Jacob Thompson, the last-named clerk in these records." The ancient records of the assessors are supposed to have been destroyed; the collectors' records, however, are in the town's possession.

MIDDLETON (Oct. 8, 1891). Wooden town hall, with a large safe used by the clerk, selectmen, and assessors, in which all the records are kept, except part of the assessors', which are in another

safe, together with the files of papers belonging to the clerk. All the records are in good order, the first two volumes, which were dilapidated, having recently been rebound. The assessors' records date from 1730. Marriage certificates have been preserved since 1864. The collectors' records have not been returned to the town, although the clerk has been able to obtain a few. The rebellion record has been written up. There is an old chest containing old papers, mostly unimportant.

· **MILLIS** (July 13, 1891). A memorial building, presented by the heirs of the late Lansing Millis, is by an arrangement between the railroad and the town used as a railroad station, town office, and public library. There is one good safe for the exclusive use of the clerk, which is, however, full, and another for the use of the assessors. The records are in good condition. The marriage certificates have all been preserved. The collectors' records have not been returned to the town. The records of the church are kept in the town safe for safety.

NAHANT (Oct. 3, 1891). Wooden town hall, where the town office is located. There is a safe used by all the town officers, which is too full for orderly arrangement. The clerk is obliged to keep his files of town plans and other important papers at his house, not in a safe. All of the assessors' records, with the exception of those for the last four years, are in a closet, unprotected from fire. Marriage certificates and burial returns have been preserved since the incorporation of the town. The collectors' records have not been returned to the town.

NEW BRAINTREE (Aug. 19, 1891). No town hall, the basement of the church being used as such. There is a large safe there, comparatively new, which contains the selectmen's and assessors' records, including valuation lists, which are nearly complete from 1795, with some occasional ones as early as 1773. All previous to 1795 are in pamphlets. The clerk has a town safe in his store, in which his records are kept. The first volume of town proceedings has been rebound, and such of the first part as was in bad condition has been copied. The other records are in good condition. Marriage certificates have all been preserved since 1887, and others irregularly for about twenty-five years. The collectors' records have not been returned to the town.

NORFOLK (June 6, 1891). Wooden town hall. The clerk has a good safe at his house, where the current records are kept. There is one very large safe, comparatively new, in the town hall, in which all the records of the selectmen and assessors are kept.

A small safe also is here, where the clerk keeps a part of his records and papers. The records are all in good condition, and the papers and files are well kept. Marriage certificates and burial returns have been preserved since 1807. The collectors' records have not been returned to the town.

NORTHAMPTON (Nov. 19, 1891). Brick city hall, with a vault built in 1889, which was worthless owing to its having a single door, but to which new double doors have been added during the year, making it fire-proof. The clerk's records and those of the assessors, except for a few of the latest years, which are in this office, not in a safe, are in this vault. The files belonging to the clerk's department are not protected from fire. The older volumes are in fair condition, and the copying of such as required it has been commenced. No births, marriages, and deaths had been indexed until 1884, since which time those from 1863 to date have been. All volumes are now being properly labelled. No assessors' records earlier than 1820 are known to exist. The treasurer and collector have one safe for their use; their files are not in a safe. The collectors' records have been returned for about seven years, but the city council has recently voted to obtain earlier ones for many years, if possible. The overseers of the poor have no safe or vault for their records. The water commissioners have a safe where most of their records are kept. The city engineer has plans either in his own office outside the city hall or in the clerk's, not in the vault. The school committee have an office in a business block, but have no safe.

NORTH ANDOVER (May 28, 1891). The town hall is used for school purposes. The selectmen have an office in an old engine-house, the second floor of which is used for a public library. There is a large safe there, containing all the selectmen's and assessors' records. A vault was built at the poor farm about ten years ago, but it is not used, owing to dampness and its inaccessibility, except for the overflow of books and papers. The town clerk has a town safe in his office in a brick building used for stores, hall, etc. His records are kept in this, but it is insufficient for the storage of the files of papers, etc. There are several volumes of copies of the records of Andover from 1709, in a crude form, and said to be inaccurate. Marriage certificates and burial returns have been preserved since 1890. The collectors' records are not in possession of the town, and no papers of any kind were transmitted to the present clerk by his predecessor.

NORTH ATTLEBOROUGH (June 3, 1891). The town offices are in a new wooden business block. The clerk has a large new safe, in which all his records and those of the selectmen and assessors are kept. The treasurer has a new safe in the same office, and in two old ones papers are stored. The clerk's office is open in business hours. Marriage certificates have all been preserved. The town has the collectors' records, for that part of Attleborough which is now North Attleborough, from 1884, and copies of the records of highways for that part of Attleborough have been made.

NORTH READING (June 2, 1891). Wooden town hall, to which I was unable to gain access. The clerk has no safe. The records are kept in a closet in his dwelling, all in good condition. There is a safe at the town hall, which cannot be locked. None of the assessors' records are in a safe.

NORTON (June 3, 1891). Wooden town hall, to which I was unable to gain access. The clerk has a safe in his dwelling, where his records are kept. The earliest volume of births, marriages, and deaths, with the index in a separate volume, which were badly worn, have been rebound and renovated. The clerk has made type-written copies of them also. One volume of the town proceedings has been rebound. One volume of intentions of marriage is in rather bad order; the records otherwise are in good condition. Marriage certificates have been preserved since 1887. The rebellion record has been written up.

NORWELL (Sept. 18, 1891). Wooden town hall, but no records are kept there. The town uses a vault at the savings bank, where the clerk's records, and all records other than those kept in the safe in the selectmen's room in the poor-house, are kept. The records are all in good condition. Marriage certificates and burial returns have been preserved since 1887. Such of the collectors' records as are known to be in existence have been returned to the town.

NORWOOD (Nov. 21, 1891). The town office is in a room in a wooden business block, where there are two large safes, one new within a few months, used jointly by the clerk and other town officers, which contain all the records and will soon contain all the files. Marriage certificates and burial returns have been preserved for very many years, those since 1887 having been filed. The collectors' records have been returned to the town. The clerk, as clerk of the parish, has records of Dedham South Precinct from 1730.

OAKHAM (Aug. 19, 1891). Wooden town hall, in which there is a large safe, new about two years ago, in which all the clerk's records, and the current records of the selectmen and overseers, and the records for late years of the assessors, are kept. There is a small old safe of doubtful value, containing the selectmen's older records, and those of the assessors, bound from 1815 to 1833, and in pamphlets from 1834 to 1850. Files of papers are in a case, and there is a chest of papers to which I could not gain access. The first, second, and third volumes of town proceedings need binding. Marriage certificates and burial returns have been preserved since 1889. The collectors' records have not been returned to the town.

OXFORD (July 8, 1891). Brick town hall, used for town offices and a library. There is a large new safe used exclusively by the clerk, containing all his records and earlier ones of which he has taken custody, and most of the records of the collectors from 1854. There is also a large vault containing old records and papers. The selectmen have a safe also for all their records. The valuation lists from 1808 to 1824, and from 1840 to date, are bound; those from 1824 to 1839 are in pamphlets; and most, if not all, of the earlier ones are packed away. Three volumes of the town records, and one of births, marriages, and deaths, are in a dilapidated condition; the other records are in excellent condition. All books and papers, even the very oldest, are labelled and filed in a systematic manner. Marriage certificates and burial returns have been preserved for very many years. The births, marriages, and deaths, from the earliest volume to about 1840, have been copied and indexed.

PAXTON (Aug. 11, 1891). Wooden town hall, containing an old safe used by the clerk only. The assessors' records are in a closet on the top of the safe. The selectmen's papers are in a closet in the room used by them for an office. The first volume of town proceedings, and the first and second of births, marriages, and deaths, are in bad order and need binding. A copy has been made of the first volume of births, marriages, and deaths, and of such as were contained in the first volume of town proceedings. Marriage certificates and burial returns have been preserved for ten years. The collectors' records have not been returned, but the clerk happens to have those for about eighteen of the past years.

PEABODY (May 22, 1891). Fine brick town hall. The town has anticipated its growth, and built four of the finest vaults that I have seen, one of which is used by the clerk and treasurer, one

by the water board, one for the public documents, law reports, and files of papers, leaving one for miscellaneous matter. All the records of the clerk, selectmen, assessors, and collector, are kept in the vault in the clerk's room. Marriage certificates and burial returns have been preserved since the establishment of the town. The collectors' records have not been returned to the town, but the record of payment and abatement has *always* been made on the assessors' books.

PEMBROKE (Sept. 21, 1891). Wooden town hall, in which there is a safe containing many records of the assessors. A large part of those, however, are in a closet in a hall where there are also two chests containing the usual files of papers. The earliest assessors' lists cannot be found. The clerk has a large new town safe in his store, in which all his records are kept, but it is full. The first volume of town records is in a dilapidated condition; other records have been carefully repaired and renovated, gratuitously, by the present clerk. Marriage certificates and burial returns have all been preserved since 1887, and occasional ones from 1884; those since 1887 have been arranged in book form in an original manner worth imitating. The records are in most systematic order, and show evidence of much labor on the part of the clerk. The rebellion record has been written up. The collectors' records have not all been returned to the town.

PLYMOUTH (Dec. 8, 1891). No town hall. The town offices are in a wooden building used for that purpose and by the hook and ladder company. A vault on the lower floor is used by the clerk (who is also treasurer) and by all the other officers except the assessors. There is a vault on the second floor where their records are kept. The records are all in good condition, the very oldest, including the proprietors' records, having been interleaved and rebound. The clerk keeps office hours. Marriage certificates and burial returns have been preserved since 1878, the term of the present clerk. He has indexed the first volume of births, marriages, and deaths. In the assessors' vault there is a large accumulation of the old valuation lists and many miscellaneous books and papers, the vault being used for the overflow from the other vault. There is a large chest filled with old papers supposed to be mostly unimportant. The collectors' records have been returned to the town for a great many years. The records to 1705 have been printed, and a second volume is to be printed.

PLYMPTON (Sept. 17, 1891). Wooden town hall. There is a safe, rather old, located upon the second floor, which contains the

clerk's records. The records of the selectmen are at the house of the chairman, not in a safe. A few of the later valuation books are in the closet of a room used by the selectmen as their office, and also as a school-room. In a room on the lower floor there are closets containing many old records. The records are generally in good condition. The births, marriages, and deaths, commencing with those in the first volume, are being copied. In 1839 the town clerk, by order of the town, put all the assessors' lists and miscellaneous papers in order, and made a catalogue of all the books and papers belonging to the town. Among these lists are all from 1783 to 1831, excepting 1786, 1787, 1790, 1792, 1795, 1800, 1802, and 1824. There is a mass of old papers in the closet. Marriage certificates and burial returns have been preserved for many years, but are among the unsorted papers. Some from 1865 to 1869 were found at the time of my visit. The collectors' records have not been returned to the town. The rebellion record has been written up.

PRINCETON (Aug. 20, 1891). Brick town hall, in which the selectmen have an office. The Goodnow Memorial Building, which is the property of the town, has a good vault, but it has been too damp for use until recently. This contains the records of the assessors from 1794, and all the files from 1820 to 1885. These have been arranged, and the clerk has been at work on later ones, which will be kept in the vault. The clerk has an old safe of doubtful value, belonging to the town, in his dwelling, in which his records are kept. Many important plans are unprotected. The records are all in excellent condition, many having been rebound. The certificates of marriage and burial returns have been preserved for a great many years. The collectors' records have not been returned to the town.

QUINCY (May 15, 1891). Stone city hall. The city clerk has a large safe, now full, in which his records are kept; they are all in good condition. The assessors have a large safe containing their records from 1861. There is a good vault used for the storage of the older records, in which the assessors' records from 1792 (the date of the setting off of the town) to 1860 are kept. Marriage certificates and burial returns have been preserved only since the town became a city, in 1889. An effort has been made to collect all the records of the collectors, and all that could be found are in possession of the town. There are several large volumes in which many ancient original documents have been pasted for preservation.

RAYNHAM (Sept. 15, 1891). Wooden town hall, with a vault built in 1890, not yet sufficiently dry for occupancy, although the public documents have been stored there. The clerk has a small safe belonging to the town in his dwelling, where his records are kept. This is full, however, and some are left out. The earliest assessors' records are in the clerk's house, not in a safe, the later ones being with the chairman of the board, not in a safe. These will be placed in the vault as soon as it is dry. The records are in good condition. Marriage certificates have been preserved since 1887. The collectors' records for 1850 and several years following were burned in the collector's house. No older ones have been returned, but the town has voted that all since shall be. The rebellion record has been written up in the blotter, but not in the bound volume.

READING (Nov. 27, 1891). No town hall. The town offices are in a brick building, built for an engine house, and for them. There is a good safe, used by the clerk, selectmen, and treasurer, for the later records and copies of the earlier. An unusually large vault contains all the ancient records, files, and papers of all departments. Many of the oldest volumes are in very bad order, and need renovating and binding. Marriage certificates and burial returns have all been preserved since 1887, and very many of those before from about 1876. The collectors' records are now returned to the town annually, and the older ones from about 1864 are also in its possession. The files of papers are very ancient; but, as the officers of all departments have access to the safe, and the greater part of the printed documents are kept in it, it makes methodical arrangement by the clerk impossible.

REHOBOTH (June 8, 1891). No town office. The clerk has a very small old safe in his dwelling, where the original ancient records are kept. All copies and recent records are in a book-case in his house. Many of the old volumes are in a dilapidated condition and need binding; several have, however, been copied and certified. The selectmen's and assessors' records are at the town farm, not in a safe. The remnants of three or four books of intentions of marriage, some bearing date as early as 1720, were found among books and papers boxed up in the attic of the clerk's house, there being no place provided for the keeping of town books. Marriage certificates and burial returns have been preserved since 1890. No information could be obtained in regard to collectors' records or dates of those of the assessors.

REVERE (July 20, 1891). Wooden town hall, in which the clerk has an office with a small safe for the current records. A new vault built in the basement last year is used for the storage of the older records of all departments. The selectmen have a large new safe and the assessors have a safe also. All the records, plans, etc., are kept in one or the other. Marriage certificates and burial returns have been preserved for many years. The collectors' records have not been returned to the town. There is a large plan of the town, kept in the vault, from which sectional blue prints are annually made for the use of the assessors.

ROCKLAND (July 9, 1891). The town office was burned July 16, 1890. The backs of the volumes of records in the clerk's safe were burned, but the records were not injured, and have since been rebound. The collectors' records were not in the safe, and, being overlooked, were destroyed. All the other records were removed from the building. The marriage certificates and burial returns, and some of the unimportant papers, were burned. The town office is now in a wooden business block, where there are three large safes,—one for the clerk, one for the selectmen, and one for the assessors. All the records are kept there, with the exception of a few current ones which are in the safe in the clerk's office in the savings bank. The records are in good condition. A type-written copy of the births, marriages, and deaths, from 1712 to 1874, in the Abington records, has been made, and a copy of the town meeting records from 1712 to 1820 is being made. The town has a file of the "Rockland Standard," from 1874, the date of the incorporation of the town.

SALEM (June 16, 1891). Brick and stone city hall, particularly exposed to fire by the proximity of a large wooden stable and other old wooden buildings. The city clerk has a vault which was rebuilt in 1876 and made fire-proof, and which has lately been enlarged. All his records are kept here. The records are all in good condition, the older ones having been repaired. All births, marriages, and deaths, and marriage intentions, have been indexed and chronologically arranged, and the indexing of all records is in progress. The files of papers which have accumulated since Salem became a city are numbered and indexed, and all town papers which have been preserved have been arranged and are being indexed. Births for nearly two years, in 1857, 1858, and 1859, were not recorded at the time, but have been by the present clerk. All plans of highways and sewers are in the clerk's care,

and these are numbered and indexed. Certificates of marriage have been preserved since 1856, and there are some prior to 1832. Burial returns since 1861, and birth returns since 1880, are preserved. A large vault has been built in the basement within a year, which is used by the departments for the records and papers least in use. The assessors have a safe in which the records for a few of the latest years are kept, the others being in vaults. The collector and treasurer uses two safes and a vault on the first floor for the later records, the earlier being in the storage vault. The collectors' records have been returned to the town and city, as a rule, and nearly all, if not all, are in possession of the city. The school committee have all their records in vaults; the current records are in the vault on the first floor, the older being in the storage vault. The board of health has a vault in which all records are kept. The overseers of the poor have a safe in which the current records are kept, the older ones being in the storage vault. Some twenty volumes of records of various kinds, with files of papers, are in a book-case in the office. The water board has a safe for their current records, the older being in the storage vault.

SAUGUS (May 20, 1891). Wooden town hall, with a vault in which the clerk's, selectmen's and assessors' records are kept, all in good condition. Marriage certificates and burial returns have been preserved since 1887. The collectors' records have not been returned except for a very few years, and only those for a few years just previous can probably be obtained.

SCITUATE (Sept. 18, 1891). Wooden town hall, a long distance from the clerk's house, to which access could not be gained. It was reported that there were several safes there, but the clerk has not access to them, and I could obtain no information in regard to their contents. The clerk has a small old safe in his dwelling at Scituate Harbor, so full as to injure the records, and some are kept outside for want of room. Most of the early records have been rebound, evidently many years ago, and are generally in good condition. Several of these volumes contain records of the earliest laying out of all the lands, and are most important; one of these is badly dilapidated and needs binding. Marriage certificates and burial returns have been preserved since 1887, and there are others older, but for want of room they cannot be arranged conveniently for examination. The collectors' records have not been returned to the town. A copy of the laws passed at the session of the first General Court at New Plymouth was found outside of the safe.

SEEKONK (June 8, 1891). A very small wooden building, containing one room, is used as a town office. A very small safe, probably sufficiently fire-proof in its location, but very old, is full, though containing but a part of the records. The remainder of the clerk's records are upon shelves in the building. The records are in fairly good condition, the first volume of births, marriages, and deaths, having been rebound. The selectmen's and assessors' records are kept at the town farm, two miles distant, not in a safe; access to these could not be gained. Marriage certificates and burial returns have been preserved since 1885. The rebellion record is not written up, but most of the information seemed to be contained in a book called "Waste Book." Many of the old records had been in a garret previous to the present clerk's term of office, and many pages of the records of births, marriages, and deaths, are known to be missing.

SHARON (Oct. 7, 1891). Wooden town hall, in which the town offices are located. There is a good brick vault, in which the safe owned before the vault was built has been placed. The clerk's records are kept in the safe. The selectmen and assessors have their records in the vault, with the exception of a large number of pamphlet lists which were found in the attic, partly in a chest and partly in a pile of old printed reports. Tax lists from 1740 to 1839 have been copied in three large volumes. Marriage certificates and burial returns have usually been preserved since 1865; those from 1865 to 1880 were in the chest above mentioned. Many files of papers were in bureau drawers in the town office. The records were in good condition, the earliest volumes having been repaired by the clerk. A large accumulation of books, papers, plans, etc., are in the vault, lacking in arrangement. The collectors' records have not been returned to the town.

SHERBORN (July 15, 1891). Wooden town hall, in which the selectmen have an office. There is an old safe there, containing miscellaneous papers. There is a large safe at the clerk's house, new in 1885, in which all his records as clerk and treasurer are kept. This is full. Ten of the oldest volumes of proprietors' records, and records of town proceedings, are in bad order and need binding. The assessors' records from 1827 to 1879 are in a trunk in the attic of the clerk's house, the later ones being at the house of the chairman of the board of assessors, not in a safe. The collectors' records from 1860, with a few exceptions, are in the town's possession and in the clerk's safe. All marriage certificates and burial returns have been preserved during the term of

office of the present clerk, and there are others for very many years. Miscellaneous papers, some of which bear date as early as 1704, are filed, and sorted in packages in the Sawin Academy and Dowse High School building. Copies of such records as have been made have been certified.

SHIRLEY (Nov. 18, 1891). Wooden town hall, with a fine large vault and a large old safe not now used. All the records and files are kept in the vault. The first volume of town proceedings, a very small book, is in bad condition. What purports to be a copy of this has been made, but the clerk at the time of the copying made the endorsement in the volume that the copyist had used his own language in the copy. The other records are in good condition. Marriage certificates and burial returns have been preserved for about twenty years. The valuation lists, bound from 1820 to 1824, in paper covers from 1825 to 1840, and bound from 1841 to date, are in the vault, and there are many ancient valuation lists in files. The collectors' records have not been returned to the town. The rebellion record has been written up.

SOMERSET (Sept. 24, 1891). Two wooden town halls, neither of which are used for offices or the deposit of records. The town office is in a small building used exclusively as such, where there are three safes, two used by the clerk only, and one by him and the selectmen. The assessors' records are in boxes, unprotected. The first volume of proprietors' records, and the first of births, marriages, and deaths, need binding. The others are in good condition. About one-third of the files are unprotected, there not being room in the safes for them. Marriage certificates from 1840, death returns from 1861, and burial returns from 1859, have been preserved and filed. Part of the collectors' records from 1840 have been returned to the town, those for some of the years having been burned. The rebellion record has been written up. The office is in most excellent order. The previous clerk searched the town for records and files, and the present clerk has continued the search, until all the records that can be obtained are in the custody of the town.

SOMERVILLE (Sept. 30, 1891). Brick city hall, with a good vault for the clerk's use, where all his records are kept, in good order. The assessors have a vault in which all their records are kept. The collector and treasurer also has a vault. The auditor, who is also clerk of the common council, has a safe, and the city engineer a vault for plans. The water board, school committee, and

overseers of the poor, have offices outside the city hall, and all have new safes. All records are now in vaults or safes. Marriage certificates and burial returns have mostly been preserved since 1842. The rebellion record has not been written up. The collectors' records since 1856, with the exception of 1857, have been returned to the city.

SPRINGFIELD (Nov. 19, 1891). Brick city hall. The city clerk has a safe, built in 1888, of unusually heavy construction; this is used by the clerk only, and contains all of the records and most of the files. All the earliest records were repaired, interleaved, and rebound some years ago, and the records are all in excellent condition. There are some curious ancient papers here, including grants to the residents of Longmeadow and a book for the record of lost goods, which has been in use from 1703 to date. Marriage certificates from 1849, returns of births from 1870, and deaths from 1868, have been preserved, filed, and indexed, and there are many certificates of marriage from as early a date as 1722. The assessors have a large safe in which the records for the two last years are kept, all the others being in a room unprotected from fire. There are valuation lists more or less complete, arranged in files to 1731; those from 1806 to 1824 are in pamphlets, and from 1824 in bound volumes. The treasurer has a large safe where all his records are kept. The collector has a good safe, and the records from 1844 are in possession of the city, and kept there. He has a fragmentary tax list of the plantation for the year 1685. The overseers of the poor have a large safe, new within two years, and an older one, which contain all of their records and blanks. The water commissioners, city engineer, and highway and sewer department, have offices in a brick building, with new vaults built within a year, in which all their records and plans are kept. The school committee has an office in a wooden building, where they have a new safe for their records.

STONEHAM (June 4, 1891). The town offices are in a brick business block. There is a large new safe used for records and papers of all sorts. There is an old safe also in the selectmen's office, in which part of the records are kept, but it is not sufficient for all the valuation books. The clerk has a safe of his own in his dwelling where the current records are kept. The records are all in good condition, some having recently been rebound. Marriage certificates and burial returns have been preserved for about thirty-five years. Most of them are not in a safe. The clerk has

obtained the record of thirty-one marriages by Rev. John Cairnes, not recorded in the town records, which he has copied and indexed. The collectors' records have not been returned to the town. Plans of street grades have been arranged, and are kept conveniently for reference, though not in a safe.

STOW (Oct. 28, 1891). Wooden town hall, with a large safe where the older records are kept. The clerk has a small safe in his house, new within two years, where the current records are kept. The large safe contained much printed matter and many miscellaneous articles which need not be there, while valuation lists prior to 1809 were in confusion in a closet in the gallery of the hall with a mass of printed matter. The lists from 1809, many of the earliest being in pamphlets, were in the safe. Marriage certificates have been preserved for 1890 and 1891 only. The very old volumes are in a most wretched condition, and should be renovated and bound. The collectors' records have not been returned to the town, although those for many years can be obtained. There are no indexes of births, marriages, and deaths.

SWAMPSCOTT (May 20, 1891). Wooden town hall, used for town offices and a public library, with a good vault and a large safe. The clerk's records are kept in the vault, with the exception of the current volume of records of marriages, which is in his own safe. Part of the valuation books are in the vault. The safe is used for the storage of files. The records are all in good condition. The town has a record of all tax payments and abatements, although some of the collectors' records are not in the town's possession. Marriage certificates and burial returns have not been preserved prior to 1890. The records of town proceedings have been printed annually since 1870.

SWANSEA (Sept. 24, 1891). A new stone town hall, the gift of Hon. Frank Shaw Stevens, was dedicated on the 9th of September, 1891, and the records have just been deposited in a fine vault there. The clerk has an old safe in his dwelling, where the current records will be kept. All the records and papers which have been scattered about in various places have been collected and stored in the vault; among these are the assessors' lists for 1823, and the whole or parts of those from 1831 to 1856; all since 1856 are bound. Marriage certificates and burial returns are complete since 1865, and there are some earlier. The collectors' records from that date have been returned. The first volume has had parts which were becoming illegible copied and bound in the original, and all

others of the oldest volumes have been rebound, with the exception of two small books of publishments, from 1744 to 1746, and from 1830 to 1836.

TEWKSBURY (June 2, 1891). Wooden town hall, with a good vault, although very damp from being constantly closed. The clerk has a small old safe of doubtful value in his dwelling, where current records are kept. The older records, with those of the selectmen and assessors, are in the vault. The records are in good condition except the first volume of births, marriages, and deaths, which needs binding or copying. Marriage certificates have been preserved since 1887. The assessors' records from 1831 to 1860 are in pamphlets; all since are bound. The town has endeavored to obtain the collectors' records, and has them from 1855 to 1864, except 1856 and 1860, 1870 to 1873, and 1876 to date. The rebellion record has been written up.

TOWNSEND (Oct. 30, 1891). No town hall. There is a brick engine-house in which the selectmen have their room. There is a safe there, to which I could not gain access, which contains the later records. Another safe is on the lower floor of the building, and contains the oldest records, including valuation lists bound and unbound from 1789 and possibly earlier. The clerk has the use of a storage vault in the National Bank building, where current records are kept. The records are all in good condition. Marriage certificates and burial returns have been preserved since 1885, and are filed. All the ancient papers have been bundled up, labelled, and packed in chests. A few of the later assessors' books are not in the safe.

WAKEFIELD (June 6, 1891). Brick town hall, with two rather small vaults, in one of which the clerk keeps his records, the other being used by the treasurer and assessors. An old safe considered of but little value is used for old papers. Two of the older volumes of town records need binding. Some volumes of births, marriages, and deaths, have been rebound. Marriage certificates and burial returns have been preserved since 1872, and there are a few for occasional years before. The collectors' records from 1857 are in possession of the town.

WALTHAM (Oct. 5, 1891). The city offices are in a wooden building, owned by the city but let for business purposes. The clerk has a vault in his office on the second floor where his current records are kept, and there is a vault on the lower floor used for

the overflow from all departments. The records are all in good condition, some of the older having been rebound. Marriage certificates and burial returns have been preserved since about 1880. The assessors have a vault on the second floor where their later records are kept, and also valuation lists from 1738 to 1762, which are in sheets unbound; their other records are in the storage vault. The auditor uses the clerk's vault. The treasurer and collector has a safe, and uses the storage vault for the older records. The collectors' records from 1852 to 1864, and from the time of incorporation as a city in 1884, are in possession of the city. The city engineer has a vault on the third floor where his plans are kept. The street commissioners and overseers of the poor have offices in this building, but have no safes. The water board and school committee have offices outside the building. The water board has a safe, but not sufficiently large to contain plans. The school committee have none.

WATERTOWN (Oct. 5, 1891). Wooden town hall, with two good vaults each containing a large safe, in one of which the clerk keeps most of his records. All of the other records are kept in one or the other of the vaults. All of the old records appear to have been rebound in 1829, but the leaves of some are in bad order and the volumes should be bound again. There is an unusual quantity of files of old papers, dating from 1740, which have been carefully arranged; many of these, however, are in cases. The plans, etc., are all in the vault. Marriage certificates and burial returns have been preserved for very many years. The collectors' records have been returned for the years 1854, 1858, 1859, 1861, 1863, 1864, 1869, and 1872 to date. The assessors' lists from 1759 to 1790 are in files, and from 1790 to date in volumes.

WEBSTER (July 8, 1891). Brick building, used for town offices, and an engine-house and lockup, but not as a town hall. There is a large vault, built within a year, which is being dried out for the town clerk's use; another smaller one in another room for the assessors' use, in which their records and the clerk's are now kept; and a good safe in which the selectmen's records are kept. The clerk keeps office hours, is clerk of the board of selectmen, and the records and papers are in excellent order and condition. The assessors' records are preserved from 1841. The collectors' records since 1851 are in possession of the town. Marriage certificates and burial returns have been preserved since 1886, and there are some earlier. The clerk has a bound file of the "Webster Times" from March 11, 1859, which is kept in the vault.

WESTBOROUGH (July 7, 1891). Wooden town hall, in which the selectmen and assessors have a room. There is a brick vault containing all the records except the current, which the clerk keeps in his own safe in his store, and those of the water commissioners, which are in a room in a business block, not in a safe. The assessors' records from 1811 are in good order; the earlier ones are missing. Marriage certificates and burial returns have been preserved since 1886; also some prior to 1800, and probably most of them from 1823 to 1843, and from 1850 to 1861. The collectors' records have not been returned to the town.

WEST NEWBURY (May 18, 1891). Wooden town hall, in which there is a large safe used principally for assessors' records. There is a safe at the poor farm also, in which the selectmen keep their records, and the town clerk has a safe at his house in which his records are kept. The records are all in good condition. Marriage certificates and burial returns have been preserved since 1887.

WESTPORT (June 1, 1891). Wooden town hall, with an iron vault brought from the burnt city hall in Fall River. The clerk has a safe in his dwelling, where his records are kept; all others have just been brought from various places and are kept in the vault. Three old volumes need rebinding. Marriage certificates from about 1865, and burial returns from 1887, with a few of each for occasional years earlier, have been preserved. The collectors' records have been called for by the town, and those from 1850 to 1855, 1862, 1863, and 1868 to 1883, are in the possession of the town, and a few others can be obtained. The assessors' lists from 1824 to 1842 are in pamphlets; all since are bound. The rebellion record has been written up.

WILMINGTON (June 2, 1891). Wooden town hall, with a safe which is full, in which the selectmen's and assessors' records are kept. The clerk has a small safe belonging to the town in the L of his house, in which he keeps all his records; this is full. He had no safe until this spring. The first and second volumes of records of town proceedings, the first of births, marriages, and deaths, and the assessors' records from 1730 to 1750, are almost in tatters. The records from 1762 to 1786, which were supposed to be lost, were found in one of the dilapidated volumes at the time of my visit. Marriage certificates and burial returns have been preserved since 1887. The collectors' records are not in possession of the town, although those for thirty years could easily be obtained if the law required it. Found the usual chest of old highway lists, bills, etc.

WINTHIROP (July 23, 1891). Wooden town hall, with a room used for a town office. The clerk has a very small worthless safe, which is filled with papers and records. He is obliged to keep a few records at his house, not in a safe. The selectmen have a small safe, which would probably be valueless in its position. The records of their meetings are kept by the clerk of the board, not in a safe. The assessors have no safe, their later records being at the house of their clerk, and the older ones in the closet of the town hall. A large book of plans, recently made at the cost of three hundred dollars, is not in the safe. Marriage certificates and burial returns have been preserved for about ten years. The collectors' records are not in possession of the town.

WOBURN (Oct. 12, 1891). Wooden city hall. The clerk has a large safe in his office on the second floor where the current records are kept, and a vault on the lower used for the overflow of his and of the other departments. Marriage certificates have been preserved since 1860; burial returns since 1854. The clerk has sorted all the old files and arranged them. He has collected also the tax lists from 1779 to 1815, and they are now complete from the first date, and are bound. The assessors have a vault, and all the records are kept there or in the overflow vault. The registers of voters also use this. The treasurer and collector each have a safe. The water board has a safe. By a vote of the town all plans are placed in the public library, where they are arranged and indexed.

WORCESTER (July 8, 1891). Brick city hall, part of the basement of which is let for business purposes. The clerk has a safe for the current records, and a vault greatly crowded where his records are kept, and for all the older records, whether belonging to his department or not. With the exception of a volume of proprietors' records, the records and papers are all in good condition, the volumes having been bound as necessity required. Marriage certificates have been preserved and filed since 1850, burial returns since 1861. The assessors have a room on the second floor where their records are kept in cases, with the exception of the valuation list for the current year, which is in a very old safe, probably worthless in its situation. The treasurer and collector has a good vault, sufficient for all records considered important. He has the collectors' records since 1865 in his possession, there being earlier ones in the city clerk's vault. The auditor has a safe in which all his record books are kept. The overseers of the poor have no provision for the safety of their important records, which

are kept upon shelves. The city engineer has a vault in the basement and a safe in his office, in one or the other of which all plans and records are kept. The water commissioners have an old safe containing part of their records; but it is not considered safe, and a new one has been ordered, which, however, will be sufficient for but part of their records. The board of health has an office in the basement, but access to it could not be obtained.

WRENTHAM (July 14, 1891). Wooden town hall, with a good vault. There is a large town safe in the clerk's store, in which all his records are kept. The vault contains all the records of the assessors, including bound valuation lists from 1818, and unbound lists from 1768. The selectmen's records from 1818 are also there. There is the usual chest, kept in the vault, which contains many old papers which have been filed and arranged by some previous clerk or clerks. The first volume of town records appears to be missing, but there is a copy. Three volumes of the proprietors' records and those of town proceedings need binding. Marriage certificates have been preserved since 1880, and among the papers in the chest are some as old as 1868. The collectors' records have not been returned to the town.

ASSESSORS' RECORDS.

The same neglect of the assessors' records has been found during the year as in the cities and towns previously visited. Prior to about 1825 the valuation lists if preserved are usually in files or in very small pamphlets; from that time until about 1860 they are in larger books, but usually unbound; and from about 1860 in the cumbersome form furnished by the Commonwealth. Under the provisions of chapter 307 of the Acts of 1888, the chairman is given the custody of the records, and often keeps them at his house, not in a safe. If the town possesses a vault, the volumes are returned to it at the convenience of the assessors. Few towns have safes large enough for many, if any, of the large valuation books now in use; and the result is that those from 1860 are piled up in some out-of-the-way places wholly unprotected from fire. The earlier lists and pamphlets are in chests or any convenient receptacle for useless matter. These are a most important record in determining the settlement of paupers, secondary only to the collectors' records;

and, as it is the exception rather than the rule where the collectors' records are in town custody, they become of first importance.

COLLECTORS' RECORDS.

I would call attention to what was said in the second and third reports in regard to the records of the collectors, and say that in every city and town visited the necessity of the return to the town of such of these records as are in existence is fully realized by the city or town officers. I would, therefore, again most strongly urge the passage of the following bill. But one objection to a similar bill proposed last year has ever been presented to me, and that is met in this draft by allowing a collector to retain his warrant, which would enable him to collect any unpaid tax after his records were in the town custody.

AN ACT IN RELATION TO THE ACCOUNTS AND RECORDS OF COLLECTORS OF TAXES.

Be it enacted, etc., as follows:

SECTION 1. Every collector of taxes who resigns his office, or is removed or retired from office, shall within three months after such resignation, removal, or retirement, deposit all his accounts, records, and papers relating to the assessment and collection of taxes in the city or town in which he held such office, excepting his warrant, with the clerk of such city or town.

SECT. 2. Every ex-collector of taxes shall, within three months after the passage of this act, deposit all the accounts, records, and papers which are now in his possession relating to the assessment and collection of taxes in the town in which he held such office, excepting his warrant, with the clerk of said city or town.

SECT. 3. The executor or administrator of a deceased person who at the time of his death or previously thereto was a collector of taxes, shall within three months after his acceptance of the office of administrator deposit all the accounts, records, and papers which came into his hands relating to the assessment and collection of taxes, with the clerk of such city or town.

SECT. 4. When all the taxes committed to the collector of taxes in any city or town have been paid or abated, or in any event at the end of three years from the date of the commitment to him of said taxes, he shall deposit all the accounts, records, and papers relating to such taxes, with the clerk of the city or town in which he holds office.

SECT. 5. If the collector of taxes in any city or town has an office for the deposit of records and the transaction of the business of collector, the accounts, records, and papers required to be deposited with the city or town clerk shall be deposited with the collector in said office.

SECT. 6. Any city or town clerk, or collector of taxes mentioned in section 5 of this act, who shall have knowledge of any accounts, records, or papers relating to taxes in his city or town which under the provisions of this act should be in his possession, shall demand the same of any person having them in his possession.

SECT. 7. Any collector or ex-collector of taxes, or any executor or administrator mentioned in section 3 of this act who refuses or neglects to perform any duty required by this chapter, or any person having in his possession any accounts, records, or papers mentioned in section 6 of this act, who, after demand made by the clerk or collector entitled by law to have possession of the same, wrongfully detains them, shall forfeit a sum not exceeding five hundred dollars.

Information has been obtained when possible in regard to the collectors' records in most of the cities and towns, and is presented in the report upon each.

BIRTHS, MARRIAGES, AND DEATHS.

I would strongly urge that the records of births, marriages, and deaths, receive greater attention. Their importance can be fully appreciated only when the errors or omissions in them are discovered.

Physicians or midwives are required on or before the fifth day of each month to report to the clerk of each city or town a correct list of all children born therein during the month next preceding, at whose birth they were present, stating certain required facts. They are entitled to a fee of twenty-five cents for each birth reported, and are liable to a fine not exceeding twenty dollars for each neglect. The neglect of the physicians and midwives is so universal that the clerks depend upon the house-to-house canvass made by them, or under their direction, at the end of the year, rather than upon the required returns, for a correct record. This should not be so. A canvass made by asking whoever answers the summons at a house door is sure to be incorrect, either from

ignorance, unwillingness to answer, or desire to deceive on the part of persons answering. The birth of a person is sometimes found recorded in two places, report having been made at the time to the clerk of the town where the birth occurred, and afterward to a canvasser in the town where the family had its usual abode. Illegitimate births are sure to be concealed from a canvasser. This is becoming a serious matter to the State, upon whom the support of many of the illegimates devolves, as it is impossible to ascertain their birthplaces and charge their support to the cities and towns which should support them.

The marriage records are also deficient, from the failure of the ministers to make returns as required. Intentions of marriage are always recorded, and in the absence of returns these are assumed to be evidence of the marriage, though it is often a wrong assumption. At present clerks hesitate to take action in the disagreeable duty of prosecuting, although a few have threatened prosecution. One was defeated at the next election as punishment for it. The duty of prosecuting should not lie with the town clerks as long as their elections are annual.

PROPRIETORS' RECORDS.

Another year's experience makes more apparent the fact that the value of the records of the proprietors of the common lands is not appreciated. Their existence is often unknown, or, if known, and any records are to be taken out of the safe to make room for a current volume of records of mortgages, or something comparatively as unimportant, these are the ones likely to be selected. Many of the volumes are crumbling to pieces, and will be valueless in a few years; while, on the other hand, some are in excellent condition as regards legibility, and contain well-drawn plots of the lands with names of abutters. The copying of these for the registries of deeds should, as I have before stated, be made compulsory upon the part of the county commissioners.

The value put upon these records in former times may be seen by reference to the case of the Proprietors of Athol, Province Laws, Vol. IV., pp. 860-863. In 1758 the clerk of the Proprietors of Athol absconded with the records, and

June 11, 1760, the proprietors petitioned the court for "direction and relief," stating that "Thus the petitioners are deprived of their records, and those who held their several possessions, or original proprietors, or have purchased the lands of delinquent proprietors, left without their proper and needful proofs, and *are in the utmost danger of running into total confusion.*" Surveys were made and fragmentary records collected, and after five years of appeal to the court a new record book was approved and established as the record.

The records of the Proprietors of Swansea, beginning with a copy of the deed from Osamequid (Massasoit), beginning in March, 1653, and ending March 16, 1797, are in possession of the town clerk of Barrington, R. I. These should certainly be copied by the county commissioners of Bristol County.

The records of the Proprietors of the lands of the tenants of Hopkinton and Upton, from 1745 to 1825, which were incorrectly currently reported to be at the registry of deeds at East Cambridge, are and have been in the safe at Hopkinton. There are, however, in that registry nineteen volumes called "Deeds of Hopkinton and Upton," which fact is probably the foundation of the incorrect report alluded to.

SCHOOL RECORDS.

By the return made by school committees in 1890 it was shown that in two hundred and forty-three of the cities and towns the school committee records were not kept in safes. No information in regard to the matter has been obtained this year, except as I have visited the cities and towns; but I feel safe in saying that very few have made any improvement in this respect, or will until the town clerk has the care of the records.

A few of the old school district records have been found during the year, and many could be obtained if it were made the business of any one to collect them.

RECORDS OF OVERSEERS OF THE POOR.

Many complaints have reached me of the failure of overseers of the poor to keep records. The cities and towns are constantly at variance among themselves and with the

Commonwealth on the question of the settlement of paupers, and much unnecessary expense is incurred and bad feeling engendered thereby. I have been informed so many times that a board always sends a general denial of all knowledge of a person who is alleged by another town or by the Commonwealth to have obtained a settlement in their town, that it can be almost said to be the custom among the towns. The town making the allegation, or the Commonwealth, is then put to the trouble and expense of attempting to prove the case by the records in the other town, often with the result of not finding any records which will throw light upon the subject. In one town at least access to the records was refused the representative of another.

An attempt was made early in the year to ascertain how generally the law in regard to keeping of records by the overseers of the poor was violated.

Section 34 of chapter 84 of the Public Statutes provides that "Overseers of the poor shall keep full and accurate records of the paupers fully supported, the persons relieved and partially supported, and the travellers and vagrants lodged at the expense of their cities and towns, together with the amount paid for such support and relief."

Chapter 27 of the Public Statutes provides in section 69 that certain towns may elect overseers of the poor, one for one year, one for two years, and one for three years, and at any subsequent annual meeting may elect one for three years. By section 71 it is provided that such boards shall choose a secretary, and by section 72 that they "shall cause books to be kept, wherein shall be entered in a neat and methodical style, and so arranged as to be readily referred to upon said books, the information required by law in regard to all needy persons aided under their direction, and all further information as to every case of relief given, asked for, or refused, the preservation of which may be of importance to their towns or to the Commonwealth, stating the amount and kind of aid given, and the reasons for giving such aid or for refusing the same."

Although persons familiar with the business of the overseers of the poor cannot see why there should be a dis-

tion, it would seem that the boards elected annually are not required to keep the detailed record required by said section 72. As there was no information at hand concerning the manner of electing the board in the several towns, and therefore which questions would apply, the following questions were asked by circular of the chairman of the board in each town:—

1. Has your town a separate board of overseers of the poor, or do the selectmen act as such?
2. Has the board of overseers chosen a secretary?
3. Are books kept in the manner prescribed by section 72 of chapter 27 of the Public Statutes? If so, what years do they cover?
4. Are such records kept as are required by section 34 of chapter 84 of the Public Statutes? If so, what years do they cover?
5. Where are the books and records above mentioned kept, and are they in fire-proof safes?

Of the cities the following questions were asked:—

1. Are such records kept as are required by section 34 of chapter 84 of the Public Statutes? If so, what years do they cover?
2. Are there any records of the overseers of the poor covering a period when your city was a town? If so, what years do they cover?
3. Where are the above-mentioned records kept, and are they in fire-proof safes?

All but twenty-five of the cities and towns returned replies, and many members of various boards called for consultation. It soon became apparent that there had been great misunderstanding and disregard of the law in the past, and that, with a few exceptions, no records were now kept in such detail as is required, "the preservation of which may be of importance to their towns or to the Commonwealth." (The importance of these records to individuals who have pauper rights seems to have been overlooked.)

Many requests were made for forms which would meet the requirement of the law. In preparing these I asked the aid of the Massachusetts Association of Relief Officers, which

admits to membership "The secretary or agent of the board of overseers of the poor of each city of the Commonwealth, and the chairman, secretary, or agent of the like board of every town," and one of whose purposes is "to acquire a thorough and uniform method of administration of public relief." Forms were prepared, the "History Blank" being prepared by the association, and were approved by representatives of the State Board of Lunacy and Charity. A copy of the following circular was then sent to every city and town, enclosing blank forms of headings for books of record, and the "History Blank" in its four-page form for use.

COMMONWEALTH OF MASSACHUSETTS.

OFFICE OF THE COMMISSIONER ON PUBLIC RECORDS
OF PARISHES, TOWNS, AND COUNTIES,

9 PARK STREET, BOSTON, April 15, 1891.

Overseers of the Poor.

GENTLEMEN:—The replies to my inquiries in regard to records kept by the overseers have shown so very many cases of neglect to keep any or sufficient records, and requests have been received from so many of the boards for forms for records, that it has led me to prepare samples which I herewith enclose.

The form which I term "History Blank" was prepared by the Massachusetts Association of Relief Officers, whose experience should certainly make them experts. These can be used separately, and filed by the secretary of the board or its agent, and a bound volume of the same blanks can be made the record. The other blanks, called "Pauper Register," conform to the return which you are required to make to the State Board, and that has been submitted to them. A form of the register very similar to this has been prepared by one of the Boston stationers and sold for some years. The form can easily be changed to the present, and prepared by any manufacturing stationer; and the three parts called "Persons fully supported," "Persons relieved and partially supported," and "Travellers lodged and Persons sent to Poor Farms," can be bound together or separately, as desired. It would seem well to have the last part bound separately and kept at the poor farm, or other places where travellers are lodged.

I enclose also a form copied with a slight change from Milford, which may be useful as a suggestion in the towns having many expenditures by the overseers. By the debit and credit table it can be seen at a glance what sums have been paid under the various classes of payments and what the balance is at the disposal of the overseers; while the consecutive numbering of the orders on

the treasurer, and on the stubs, with the entry of the number of the order in the debit and credit account, makes a check upon errors, and immediate reference, possible.

Aside from any requirement of the statute that detailed records should be kept, the importance of these in the matter of a claim for settlement, made after many years and after the circumstances have passed beyond the recollection of town officers, would seem to make the necessity apparent for these records as a matter of protection to the town from illegal claims, and a uniformity among towns would be of great help to them all.

Several requests for forms of records for the different classes of aid to soldiers and sailors have made it seem advisable to enclose forms for those also.

I trust you will adopt these forms, if you have not already a system which you deem as good if not better.

Yours respectfully,

ROBERT T. SWAN,
Commissioner.

Copies of the several forms and "History Blank" are herewith presented, necessarily reduced in size. These are presented here that they may possibly be brought to the attention of town officers who did not see the originals sent to the towns, and that members of present boards of overseers of the poor, who were not members when the originals were sent, may have the benefit of them. It happened in several instances that the circular and blanks were received by boards, or members of boards, who had just been elected at the town meetings in March or April, 1891, and who, finding no records kept by their predecessors or associates, and having the matter brought to their attention, heartily welcomed a systematic form and readily adopted it.

The forms on page 51 represent the two separate books used in Milford, the first being in regular account form, the second in the style of a check-book. The first and second forms on pages 52 and 53 extend across two pages, the details requiring more space than can be had on one. The third form occupies but a single page.

The "History Blank," so called, is a four-page sheet intended to be folded for pocket use, and subsequent filing, to be bound later as a record; or the pages can be bound, making a record book to which the facts noted by the investigator on his pocket blank can be transferred.

DEBIT.						CREDIT.	Name.	No. of Order.
Sundries.	Insane.	Farm.	Out-Door.	Salaries and Wages.	Total.			
						Appropriations.		
						Reimbursements by State or Towns.		
						Date of Debit or Credit.		

No. _____

Treasurer of the Town of _____

Pay to the order of _____ \$ _____

100 Dollars,

and charge to the Department for Support of the Poor.

Chairman of the Overseers of the Poor.

\$ _____ No. _____

Date, _____

Payable to _____

On account of _____

PAUPER REGISTER.
PERSONS FULLY SUPPORTED.

Registered Number.	Name.	Color.	Age.	Sex.	Birthplace.	Naturalized or not.	Place of Settlement.	Nature of Settlement.

PAUPER REGISTER.
PERSONS RELIEVED AND PARTIALLY SUPPORTED.

Registered Number.	Name.	Color.	Age.	Sex.	Birthplace.	Came into the State.	Naturalized or not.	Place of Settlement.

OVERSEERS OF THE POOR,

(Name of city or town here.)

189.....

Name?

Number in family?

Color, Sex, Age?

Place of Birth?

Residence, Street and Number?

* When and how came to State?

When to (Name of city or town here.)

Lived here since, and how long?

Residence previously?

Occupation? Wages?

Intemperate, Insane, or Infirm?

Owned real estate? Paid tax?

What, where and when?

Property or Means?

Life Insured, How much?

Ever in Army or Navy?

State Aid or Pension?

Ever before Aided, and when?

By what Town, and where residing?

Place of settlement, how settled?

* If a FOREIGNER, ASK THESE QUESTIONS. 1. At what port did you embark?
2. What was the name of the vessel that brought you to this country? 3. To what
line did it belong? 4. At what port in this country did you land from the vessel?
5. In what month and year did it arrive? 6. Whose name was written on your
passage ticket?

Leave this Edge for Binding.

Leave this Edge for Binding.

HUSBAND OR WIFE.

When and where married and were you married more than once?

Name, and age now?

Date and place of birth?

Occupation?

Residence and settlement?

Date of death, and age?

Real and Personal estate and means?

PARENTS OF HUSBAND OR WIFE.

CHILDREN OF APPLICANT.

Names of Children.	Age.	Date of Birth.	Place of Birth.	Occupation.	Date of Death.	Place of Death.

PARENTS OF APPLICANT.

Name and Age?

Date and place of birth?

Occupation?

Residence and settlement?

Date of death, and age?

Property and Means?

Ever in Army or Navy?

Leave this Edge for Binding.

DATES OF VISITS.

REMARKS.

PAUPER DEPARTMENT.

RECORD OF TAXES

AND

PLACES OF RESIDENCE.

(Name of city or town here.)

18

Number

Case of

Residing at

Visitor

Volume and Page of Reg.

How disposed of

TAXES.

Years.

Paid.

Not Paid.

Not Ass'd.

Where
Residing.

A number of the towns have already commenced the use of these uniform records, and their general use might well be required as a step toward just dealing in the pauper settlement question. Where meagre records are kept it is impossible for a stranger to them to obtain the needed information without the assistance of the person making the record, and that is often withheld. If a full record is kept it may be so different in form from that with which the searcher is familiar that it is confusing and of little value. With a prescribed uniform form the record would be what it is intended by statute to be.

The neglect of overseers of the poor to choose a secretary and keep proper records is another argument in favor of making the town clerk clerk of all boards, except in towns of sufficient size to warrant a salaried clerk of the overseers.

Requests were also made for forms for records for the different classes of aid to soldiers and sailors, and those in use in the State aid office in Boston were approved by the commissioners on State aid, and forwarded to the cities and towns. A copy of these forms is also presented on the following page. These forms run across two pages, the columns of months occupying the right-hand page.

The preparation and forwarding of these various forms for records was a departure from the line of work prescribed for this commission, which is to examine into the custody and condition of the records under its jurisdiction, and to take measures for their preservation. As many complaints had been made to me of the neglect of overseers of the poor to keep records, resulting in a money loss to other towns, and as in my examination I had found this neglect to be very general, I thought it proper, in the absence of any one authorized to make complaint, to call the attention of the several boards of overseers to the neglect. Having then received requests for suggestions and forms it seemed to present an opportunity for the commencement of a uniform system of keeping these important records, and that I should be rendering the State a service by this departure from my regular line of work. The adoption of the forms by one after another of the towns seems to prove the correctness of this view.

MILITARY AID. — Chap. 279 of Acts of 1899.																				
Town (or city) of	No. of Case.	Name of Volunteer.	Co.	Reg't or Vessel.	Mustered.	Discharged.	Credited to.	Remarks.	Jan.	Feb.	Mar.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.
STATE AID. — Chap. 301 of Acts of 1899.																				
Town (or city) of	No. of Case.	Name of Volunteer.	Co.	Reg't or Vessel.	Mustered.	Names of Persons Assisted.	Relation to Volunteer.	Record of Pensions.	Jan.	Feb.	Mar.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.
SOLDIERS' RELIEF. — Chap. 417 of Acts of 1890.																				
Town (or city) of	No. of Case.	Name of Volunteer.	Co.	Reg't or Vessel.	Mustered.	Names of Persons Assisted.	Relation to Volunteer.	Amount Allowed.	Jan.	Feb.	Mar.	April.	May.	June.	July.	Aug.	Sept.	Oct.	Nov.	Dec.

FILES OF PAPERS.

I have given especial attention to the matter of the files of papers in the cities and towns visited during the year. During the high price of paper in the late war many public papers were sent to the paper mills, some going directly from public offices. At that time an agent for persons in England made a tour of the towns within a radius of ten or fifteen miles of Fitchburg, and bought all the old papers which could be obtained from any source. These were carried to Fitchburg, and such as were wanted were preserved and probably sent to England; the others, which aggregated many tons, were sent to the mills.

In view of the fact that the selling of papers was so general, and that provision for the safety of the files had seldom been made, it is surprising to find in some cities and towns so many which have been preserved. Occasionally these are bundled up and labelled, and very occasionally kept in vaults; but more often they are in old chests or trunks, which contain also some old record books, and until very recently contained all. Among these papers are valuation lists, unrecorded reports of committees, maps, plans, etc., of a value which cannot be estimated until they are needed. There are also old receipts, orders, and other documents long ago outlawed, which would seem to have no value, and which might be destroyed by duly authorized persons.

Occasionally a town has realized the importance of its records and papers, and has authorized some one to put them in order. In 1842 Lewis Bradford, who had been for many years town clerk of Plympton, by vote of the town put in order all the records and papers which could be found. He made an index of them at the time, and in one book containing tax lists made the following note, the concluding part of which holds good to-day: "The Assessors might have sewed their pamphlets of Assessments with twine, and yearly fastened them together as in this Book; and in that way their assessments might have been preserved in good order, and been much less liable to embezzlement. Some town officers are Do for the Present persons, or Do littles and do so little that in after times some of their doings are rather unintelligible."

A few towns are by special vote now having papers examined and arranged, and have collected from private sources public papers of value. When the time comes that town clerks are properly compensated, this work can be reasonably expected of them, as it is now unreasonably required by statute.

CHURCH RECORDS.

At every step in the work appertaining to the so-called church records difficulty arises from the want of a definition of the word church, and the uncertainty as to whether persons speak or write advisedly when referring to the church, society, or parish. It is almost impossible to obtain correct information in regard to their records for this reason. The original meaning of church was the Lord's house; but as in 1646 the "liberties of the churches" are a subject of legislation, and in 1668 the general court ordered that "by church is meant such as are in full communion only," the original meaning would seem to have been dropped. Neither in the third article of the Declaration of Rights nor again in eleventh of the amendments is the word used; but religious societies are given the right to elect their pastors and raise money for the maintenance of religious institutions. The later statutes, while usually using the word as applying to a worshipping body connected with a single religious society, allude to "pews in a church or meeting-house," and to "the diocese in which a Roman Catholic church is erected." They also recognize the "body of Christians known as the Protestant Episcopal Church" and "the trustees of any society of the Methodist Episcopal church, or of the African Methodist Episcopal Church." In common parlance, church is applied either to the structure or the denomination, being seldom used in the strict sense of a body distinct from a parish or society.

In the case of *Silsby v. Barlow and Others*, 16 Gray, 329, the court sets forth the difference between a church and society. In April, 1838, a Baptist church was organized at Pocasset, and afterwards by its agent, one Barlow, sued for possession of a legacy "to the Baptist Society in Pocasset, Sandwich."

In his opinion Judge Chapman said:—

A church is understood, among those whose polity is congregational or independent, to be a body of persons associated together for the purpose of maintaining Christian worship and ordinances. A religious society is a body of persons associated together for the purpose of maintaining religious worship only, omitting the sacraments. A church and society are often united in maintaining worship, and in such cases the society commonly owns the property and makes the pecuniary contract with the minister. But in many instances societies exist without a church, and churches without a society. Churches are not corporate bodies, and commonly have no occasion for the exercise of corporate powers. By our statutes their officers have sufficient corporate powers to enable them to hold any property that may be given to their church. Originally all our religious societies were corporate bodies. The towns at first exercised parochial powers, most of the people of this State being of one denomination. But, as varieties of opinion sprung up, it became necessary to separate the parochial from the municipal business, and the parishes formed separate organizations. Other religious societies were incorporated by special acts; but many congregations remained unincorporated. Some persons had conscientious scruples against corporations, and others preferred to manage their religious affairs in a different way. The statute of 1811, c. 6, § 3, was enacted for the benefit of such persons. It enabled unincorporated religious societies to take and hold property; manage, use, and employ the same; choose trustees, agents, and officers therefor; and constituted them corporations so far as might be necessary. The same provision was re-enacted in St. 1834, c. 183, § 5, and in the Rev. Sts., c. 20, § 25. This legacy in question not being given to the church, Mr. Barlow is not entitled to receive it. But the persons who usually attend worship at the meeting-house, whether members of the church, pewholders, or others, constitute such an unincorporated religious society as is provided for in Rev. Sts., c. 20, § 25; and they may choose an agent or trustee pursuant to that section, to whom the legacy should be paid.

In any reference to records few make the distinction here drawn, and moreover use parish and society as synonymous terms. By chapter 404 of the Acts of 1887 any church now existing or that may be hereafter organized may be incorporated, and many are availing themselves of this act to become incorporated.

That there may be some reliable information in regard to the names and organization or incorporation of the churches,

parishes, and religious societies in the State, and that it may be known what have and what should have records, an investigation has been commenced which promises good results. A circular was sent to the pastor of each of the two thousand and sixty organizations called churches, asking that forms containing the following questions be filled and returned by the clerks of whichever bodies existed in their form of organization:—

CITY OR TOWN OF——.

[In giving dates, please give the year, month, and day when possible, and give the ancient dates exactly as found in the ancient records; as Feb. 5, 1723—4, or 25d, 5m, 1660.]

1. Present legal name of the CHURCH.
2. Denomination.*
3. Former denomination,* if different.
4. Local name of the church, if different.
5. Former name or names of the church, if any.
6. When was the church organized under the present name?
7. When incorporated under the present name?
8. When was the name changed?
9. When organized under any former name?
10. When incorporated under any former name?
11. Present legal name of the PARISH.
12. Former name or names of the parish, if any?
13. When was the parish organized under the present name?
14. When incorporated under the present name?
15. When was the name changed?
16. When organized under any former name?
17. When incorporated under any former name?
18. Present legal name of the SOCIETY.
19. Former name or names of the society, if any.
20. When was the society organized under the present name?
21. When incorporated under the present name?
22. When was the name changed?
23. When organized under any former name?
24. When incorporated under any former name?
25. If there were or are any proprietors of the meeting-house, please give any facts obtainable in regard to name, dates of organization, incorporation, dissolution, etc.

Remarks:

—	—	Clerk of Church.
—	—	Clerk of Parish.
—	—	Clerk of Society.

* Please give the denomination by its correct title, avoiding general terms, such as Calvinistic, Christian, Evangelical, Methodist, Orthodox, etc.

More than eight hundred replies have been received, and it is evident that the facts desired are too often unknown to those who should have them as a matter of record, and who ought to possess them to know of the legal standing of the several bodies.

This is a question constantly arising, and the difficulties under it are illustrated by the following case. The church edifice on Florence Street in the city of Boston, known as the Church of the Messiah, was very recently sold to a Jewish congregation. This congregation desired to mortgage the property to a savings bank; but, while its constitution and printed by-laws said that the name of the congregation should always be "Shaary Tefila," the legal name under which it was incorporated was "Congregation Shaary Tefila." As these differences could not be made to harmonize, the transaction fell through, to the disappointment of all parties.

Additional extinct churches have been reported as follows:—

[The following abbreviations are used in this table: Bapt., for Baptist; Cong., for Congregational; Presb., for Presbyterian; M. E., for Methodist Episcopal; Prot. Epis., for Protestant Episcopal; and Wes. Meth., for Wesleyan Methodist. The use of the dash signifies that information is wanting. The asterisk preceding a date signifies that it is the nearest date furnished.]

CITIES AND TOWNS.	Denomina- tion	Distinguish- ing Name	Year in which Organ- ized	Year in which Ter- minated	RECORDS	
					Years covered	In Possession of—
Ashburnham, BOSTON,	M. E.	—	*1800	1833	—	—
	Free Bapt.	—	*1834	1843	—	—
	Cong.	Neponset Cong.	1845	1859	—	Trinity Church, Neponset.
Holliston,	Presb.	Third.	1870	*1875	—	—
	Prot. Epis.	Church of Our Re- deemer.	1865	—	—	—
Leyden,	Wes. Meth.	—	1842	1866	—	Present M. E. Church.
Oakham, TAUNTON,	M. E.	—	*1865	—	—	—
	—	Central Christian Society.	—	—	1848-1872	Old Colony His- torical Society.

Records of the following extinct churches, which were reported in 1885 as in private hands, have been placed in city or town custody:—

Cummington,	First Congregational Society.
East Bridgewater,	Methodist Episcopal.
GLOUCESTER,	Second Universalist.

In place of the recommendation in the last report, that a religious society after it has ceased to hold regular meetings for public worship for a fixed term of years should be dissolved, I would recommend the passage of the following bill:—

AN ACT TO PROVIDE FOR THE CUSTODY OF THE RECORDS OF A RELIGIOUS SOCIETY, CHURCH, PARISH, OR ASSOCIATION FOR RELIGIOUS WORSHIP, WHICH HAS CEASED TO HOLD RELIGIOUS MEETINGS.

SECTION 1. When a church, parish, religious society, monthly meeting of the people called Friends or Quakers, or any body of persons, who have associated themselves together for the purpose of holding meetings for religious worship, shall cease for a term of two years to hold religious meetings regularly, the persons having the care of any of the records or registries of such church, parish, religious society, monthly meeting, or association, or of any church, parish, religious society, monthly meeting, or association connected therewith, shall deliver all such records to the clerk of the city or town in which such church, parish, religious society, monthly meeting or association is situated, and such clerk may certify copies thereof.

SECT. 2. Every person having any records of the deacons, church wardens, trustees, overseers, or other similar officers, of any of the assemblies or associations aforesaid, by whatever name called, shall deliver all such records to the clerk of the city or town in which such assembly or association is situated, and such clerk may certify copies thereof.

SECT. 3. If any church, parish, religious society, monthly meeting, or association, the records or registries of which, or of any officers of which, have been so delivered, shall resume regular religious meetings under its former name, or shall be legally incorporated with some church, parish, religious society, or monthly meeting, the clerk of said city or town shall, upon demand made in writing by a duly authorized person, deliver such records or registries to such person: provided, however, that said person shall, in writing, certify that to the best of his knowledge and belief said religious meetings are to be regularly continued, or such incorporation has been legally completed.

SECT. 4. Every person who, after demand made by the clerk entitled by law to have possession of the records or registries aforesaid, wrongfully detains the same, shall forfeit the sum of one hundred dollars.

COURT RECORDS.

I have not visited the offices of the clerks of the courts during the year, as their records are in the main as well provided for as they can be in their present quarters, and more important matters have demanded my attention. The rapid accumulation of papers in these offices makes the question of storage room serious, and an authorized destruction of such as shall be determined upon by some competent authority would seem advisable. The destruction of valueless papers is authorized in England.

RECORDS IN REGISTRIES OF DEEDS.

I have not considered it necessary to visit the several registries of deeds. The subject of indexes to which I called attention has received the consideration of a special committee of the Legislature, sitting during the recess, and reforms will doubtless be established.

I would repeat my suggestion in the last report, that the rapid accumulation of the records in the registries be checked to a degree by dispensing with verbiage in deeds.

A new building for the registry at Plymouth, undoubtedly fire-proof except in its fittings, has been completed during the year, giving much needed security, and room which can be fully appreciated only by those who knew its former cramped condition. The volumes have all been covered with canvas, numbered with large figures, and the office is in excellent condition.

The copying of records and plans in the registry of deeds for the northern district of Bristol County at Taunton, for the southern district registry at New Bedford, is progressing rapidly. Thirteen volumes of copies are bound and are being indexed. There will be about twenty-five more which will probably be completed during the coming year. There are about twenty-three thousand deeds to be included, covering the period from 1687 to 1837.

PROBATE RECORDS.

The insecurity of the files in the probate offices must again be referred to. Stealing, altering, and misplacing are dangers to which the papers are subject; and until some

legislation shall establish rules, they will continue. There seems to be no reason why original papers which have been recorded should be referred to except for special reasons, upon the validity of which the register should pass; but it is the custom, and an attempt by a register to break up the custom is sure to be met with opposition. Some registers have established rules for their own registries, which earn for them the reputation of being arbitrary among those accustomed to more lax rules elsewhere.

The danger to these records from fire will exist in most of the registries until new buildings are erected, fitted with non-combustible material. Until such time the original papers and the record of them should be separated. Had the fire in the probate office in Boston in June last been more serious, there would have been a popular clamor for some legislation upon this matter; and I trust it will not be delayed until serious results awaken the community to the danger to which these important records are exposed.

The registry at Plymouth has been removed to the new building designed for it and the registry of deeds, and, from being the most poorly accommodated, it is now one of the best. The indexing provided for by chapter 363 of the Acts of 1890 has been rapidly pushed, many volumes being already completed, containing indexes to the volumes and files. Many papers have been found to be missing, some unrecorded; and it may be remarked that it is only when some general work of this kind is undertaken that the extent of the loss of papers in a registry can be known. To provide greater security for the files and papers, I would recommend the passage of the following bill:—

**AN ACT TO PROVIDE GREATER SECURITY FOR THE FILES AND
PAPERS IN OFFICES OF PROBATE.**

SECTION 1. Every register of probate and insolvency shall keep all files and papers in his custody locked in the cases or other places provided for their safe keeping, except when they are wanted for use, and shall exhibit them for inspection only when he shall deem such inspection necessary or advisable.

SECT. 2. All shelving or other structure hereafter placed or erected in the office of the several registers of probate and

insolvency for the accommodation of the records, files, papers, and documents, shall be of fire-proof material.

SECT. 3. Any person who shall unlock any of the cases or other places provided for the files and papers aforesaid, and shall remove any of said files and papers therefrom without the permission of said register shall forfeit a sum not exceeding one hundred dollars.

TOWN CLERKS.

In the last report the subject of town clerks was treated at much length, and a compilation of the laws relating to their duties was presented. The compilation was made for the double purpose of giving the clerks, for the first time, a complete list of their duties, and to show the Legislature and the people what the requirements of the office were.

The report was sent to every city and town clerk; and, while many expressed themselves as fully appreciating that work and finding it of benefit, I regret that some admit never having seen the report, the reason given being that they receive such a mass of printed matter from the State offices and elsewhere, in which they have no interest and which they do not find time to examine, that this has been carelessly thrown with the rest, where neither they, the selectmen for whom many suggestions were intended which would be of benefit to the town if adopted, nor any citizen interested in the subject, would be likely to see it.

I would now respectfully call attention to the part of that report devoted to the subject of town clerks, and say, with the strongest possible emphasis, that, if the business of town meetings and the various boards is to be legally conducted and properly recorded, and the old records and important papers saved from further destruction, radical changes must be made. The office of clerk must be removed from politics and put upon a business basis.

The clerk must be elected for a longer term and properly compensated, and be clerk of all boards, except where a town is so large as to make it advisable to have a paid clerk of separate boards. The business corporation in which the stockholders elected their clerk upon political grounds, and then expected him to compensate himself out of fees which he could collect from the stockholders for services done

for them individually, not for the corporation, would soon find itself in the snarls of litigation and part of its business neglected, and would be fortunate if it did not eventually have to sell out to some better managed corporation near by. The cases are parallel. Some towns make political nominations of town clerks with the chance of annual changes; pay nothing for the work done for the town, but expect the clerk to compensate himself from fees for service rendered individuals.

The relation of the State to the town clerk is worthy of careful consideration. Nearly every Legislature directly imposes duties upon them, or indirectly requires certain things which necessitate work on their part, or put them to expense and inconvenience. Nine additional direct duties were imposed by the Legislature of 1891. Many of the requirements are, from the condition of affairs in a town, unreasonable and absurd, and are looked upon by the townspeople as such, and compliance with them is not expected, desired, or paid for. For instance, the clerk is required to keep all books of record and all important papers in the safe provided by the town; whereas, the only safe may be at a town hall, or a poor-house miles from his house, or place of business; and, aside from the unreasonableness of expecting him to go to the safe when necessary for his own purposes, the citizens would complain when calling upon the clerk if they were obliged to make the additional journey to the safe. The town clerk's office is by law made the repository of many records, books, plans, etc., when in fact his office, if such it can be called, is his dwelling, or a store or business office which may be his own or one in which he is employed. If it is his dwelling, he and his family have sacrificed a room for town use, in which the safe is placed and where as many public documents as the room will contain have been stored, the others being in such closets as can be spared, or in the attic or cellar. If his office is at a store or business office, one of two conditions of affairs is apt to exist. If the store is his own, the town is likely to expect him to provide for the town records in his safe; and, as he receives no compensation for services or rent, his own records naturally take precedence if either his books or the town

records are to be crowded out. If he is an employee in the store or office, he is at a disadvantage in not being at liberty to command the needed room either in or out of the safe, and the records must be a secondary consideration. These cases are not overdrawn, but can be cited, and the loss of, or damage to, records, can be directly traced to these causes.

The new election laws require careful study upon the part of the clerks, and put an immense amount of work upon them. For this the statute provides "suitable compensation;" but, whatever that may be, it is seldom paid. Very much of the work is of no importance to the towns-people, except as they form part of the whole people, the State requiring that matters shall be recorded and information obtained and transmitted for its value to the State as a whole. It would seem proper, therefore, that the State should pay a salary to every town clerk for the labor performed for the general good, and that the town should pay an additional amount, based upon its population. The humiliating and demoralizing system of making a public officer dependent in the least degree upon fees should be abolished in the towns, and fees for services rendered to individuals by the salaried clerk paid into the town treasury.

The following duties, in addition to those printed in the last report, were required of the town clerks by the Legislature of 1891.

The duties required by the provisions marked with an asterisk (*) are contingent upon the application of the act to the town.

He shall record:—

The taking of the oath by tellers appointed in town meetings.
[1891, c. 32, § 11.]

He shall file:—

The request of a candidate for town office that his nomination be withdrawn. [1891, c. 155.]

A copy of the rules and regulations made by the State Board of Agriculture in regard to the *Ocnaria dispar* or gypsy moth, if they are found by the board to exist in the town. [1891, c. 210, § 3.]

* The petition of ten voters for a session of the registrars of voters. [1891, c. 242.]

* The schedule describing the property which any person, firm, or corporation proposes to sell to a town which has voted to establish a plant for manufacturing and distributing gas or electricity. [1891, c. 370, § 13.]

He shall receive or obtain : —

From the secretary of the Commonwealth blank forms for certificates of nomination of candidates for the office of representative in the general court, for the use of the presiding officer and secretary of any legal caucus or convention held for the nomination of said representatives. [1891, c. 329, § 2.]

From the secretary of the Commonwealth blank forms for the nomination of candidates for town offices, if ballots are printed and distributed at the public expense. [1891, c. 329, § 2.]

He shall return or transmit : —

* Within two weeks after any town has taken final action in pursuance of chapter 170 of the Acts of 1891, in relation to any highway or county bridge therein, a certified copy of the record of the town of such final action to the county commissioners. [1891, c. 170, § 6.]

* Within ten days after the acceptance of chapter 170 of the Acts of 1891, a certified copy of the vote accepting the same to the county commissioners and secretary of the Commonwealth. [1891, c. 170, § 7.]

He shall perform miscellaneous duties as follows : —

Shall send the State blanks and apparatus to the election officers of each precinct or town before the opening of the polls on the day of any election or meeting at which they are to be used, together with such blank forms and apparatus as may be approved by the selectmen. [1891, c. 328, § 3.]

Much of the service rendered by the clerk to individuals, such as issuing marriage licenses, burial permits, etc., must be done upon the minute, and he must hold himself in readiness for such calls, illustrating the quotation that "They also serve who only stand and wait;" but no thought is given to the fact that the holding himself in readiness is a tax upon his time, and it is not considered when compensation is proposed.

SAFES AND VAULTS.

The requirement of the statutes that cities and towns shall provide fire-proof safes for their records seems simple and sensible; but when the exact words of the requirement are quoted to some of the town officers it is looked upon as absurd, and they feel competent to decide as to what are "records" and "important papers," the latest being considered such, and those only being provided for. Without a statute definition of records which would enable me to demand that *all* records and papers should be protected, it has seemed useless to attempt to compel action; but most of the cities and towns have when notified taken some action. A few have done and probably will do nothing until compelled by threat of prosecution.

Since the cities and towns received the circular in 1889, calling attention to the law, fifty-five have reported as having purchased new safes; twenty-three as having built vaults; three as having made old ones fire-proof; and several have made appropriations or appointed committees to report upon the best plan to be pursued. A few have provided for keeping their records in private vaults. In addition to the cities and towns which have reported action, information has reached me that others have new safes or vaults, so that over one hundred may be said to have made their records more safe than before the commission commenced its work.

The ignorance existing in regard to safes and vaults is surprising. Town officers have considered well-constructed vaults failures because of their dampness, when they either have never been properly dried before using, or are opened only at long intervals, and then without any care as to whether the day is dry or damp. New safes are also considered unsatisfactory because their contents gather dampness, when the failure to open them frequently is the only reason for it. The end aimed at by manufacturers is to obtain a filling for safes which when heated shall generate steam; and the safe that will generate it for the longest time is the best, as the contents will not char or ignite in steam.

The melting of leather bindings referred to on page 74 is owing to the presence of the steam, which reduces the leather

to glue. A degree of heat which, dry, would ruin the contents of a safe, would, if moist, not affect paper or canvas, but melt leather and cause it to damage the paper. Persons who have condemned their safes because of this melting would undoubtedly have lost the contents had not the safe contained enough of moisture to cause the melting. With canvas bindings no damage to the contents would have ensued.

Vaults have been constructed with a single door of plate iron, the heating of which would be sure to ignite their contents; and records in vaults with inner and outer doors are exposed to fire by the neglect of persons to close the inner doors. The only object of the two doors is to provide an air space between them as a non-conductor.

Every vault and safe should be opened for a time at least once a week, and some vaults should be open daily; but not until a town office is established and the clerk feels that the responsibility is placed upon him will there be much improvement in this matter. Meanwhile, the records will continue to mould.

COPYING.

The statute is peremptory in the requirement that, when records are becoming worn, mutilated, or illegible, city governments and selectmen shall have fair and legible copies seasonably made. There are few of the oldest cities and towns where some copying should not be done; but I have made no effort to have it done, for the reason stated in the last report,—that copyists who can read the ancient chirography, or appreciate the fact that a copy should be a copy and not an abstract, are so few that accurate copies are not likely to be made. In what purported to be a copy of the first volume of a town record, made many years ago, the copyist had certified that it was a true copy *of the important matters*, to which the clerk added that it was expressed in the copyist's own language.

In one town the copyist omitted what he deemed unimportant in the volume copied; and among the omissions were the names of the representatives elected, and no record of them exists.

As the strongest evidence of the statement that experts only must be employed to copy ancient records, a fac-simile of an ancient paper in possession of the Essex Institute is herewith inserted, which is less difficult to decipher than are many of the old town records.

A certificate of a city or town clerk to the correctness of a copy has been considered sufficient to constitute it a record ; but careful reading of section 7 of chapter 37 shows no authority for certification of copies by the clerk unless they are made for another town. In the copying of county records the copyists are sworn and certify to the correctness of the copies, and this should be the law in regard to city and town records.

BINDING.

In the second report the use of canvas for binding in the county offices was commended, as the leather bindings in some of them were rapidly deteriorating, supposedly from the effect of the gas-heated air. Its use for all bindings is now urged, as being more resistant to heat. In several fires where safes containing town records were subjected to a strong heat, not, however, sufficient to cause combustion in them, or to injure the paper, the leather bindings melted, and were not only destroyed but the melted leather formed a dark-colored glue which injured the records. With canvas bindings no damage would have resulted. The reason for this is set forth under the heading " Safes and Vaults."

While the oldest records in nearly all of the towns need renovating and binding, very little has been done, owing to the distance of the clerks from binderies where it would be safe to trust them, or where the work could be expertly done ; and the recommendation is renewed, that, in the event of the continuance of the commission, the clerks shall have authority to place their records in charge of the commissioner for rebinding, the expense to be charged to the several towns.

RECORDING OFFICERS.

I would renew the recommendation made in the previous reports, that the terms of the recording officers be longer.

Agreement between Mr. James & John P. Woodhouse
the 4th day of the 12th of November 1638.

Now it is to be had a meeting house of 25 foot long by
breadth of 15 foot building with a gallery underneath to be
built. One Nation of money of 12 foot long & 4 foot
in height about the top of the building. The said work
is to be of brick or stone. The building is to have six
sufficient windows. 2 on each side & 2 at the end.
& a row of stairs to ascend to the gallery suitable to the
purpose. The building is to be covered with roof of shingles
& may be covered with slate to meet the purpose. The all the
to be sufficiently finished with daubing & glazing & under
-gumming with stone or brick with rapier & all things necessary
by the said John P. Woodhouse. In consideration whereof
the said John P. Woodhouse is to give 63th in money to be
paid at 3 payments. The first payment 21th at the beginning
of the work. The 2nd payment 21th when the frame is
raised. The 3rd payment 21th when it is to be paid at
the finishing of the work. And it is agreed that it be
found by indifferent men that the said John P. Woodhouse
shall do & build 3 more for the town is to pay it for
the 1st be found by the said John P. Woodhouse 3 more.
The 2nd is to abate it. And the said John P. Woodhouse
doth consent to finish it by the 15th day of the 4th
month next ensuing by law given. In witness
whereof the said James & John P. Woodhouse

John P. Woodhouse

Jo. Endicott

Jo. Woodhouse
Will. Hathorne
Samuel Litch
Roger & Amos

FIRES.

As the last report was going to press, a large fire in Athol, Dec. 21, 1890, partially destroyed the office of the selectmen, but fortunately the corner of the building in which their safe stood was saved. Many files which should have been in a safe were more or less damaged. The fire fortunately did not reach the store in which an old safe used by the clerk is situated, or its contents would undoubtedly have been damaged if not destroyed.

A large fire in Orange, Nov. 7, 1891, destroyed an old safe belonging to the town, which was in the business office of the town clerk. The bindings of all the records in it were ruined, and the pages were more or less injured by water and the melted leather. The original returns of births, marriages, and deaths for the current year had not been recorded, and, not being in the safe, the record is destroyed.

On the 19th of June, 1891, electric light wires in the registry of probate in Boston started a fire there. Fortunately it was in office hours, and was extinguished with a fire extinguisher before it gained headway. Had this occurred in the night, the damage by fire, or by water, which would be nearly as damaging to records and files, would have been incalculable. A temporary excitement was occasioned, and the condemnation of the building was general; but the same condition of affairs is allowed to remain.

AUCTION SALES OF RECORDS.

The temptation to retain papers belonging in public custody, or to pilfer from the files in the public offices, is increased by the auction sales, where papers which are the property of the State or of cities and towns are boldly advertised and sold. At a sale in New York in 1876, a record of births in Middleborough from 1714 to 1730, and some of the records of the treasurer of Hanover, were sold. Fifty-three pages of the record of the trial of Hugh Parsons of Springfield on a charge of witchcraft, before Mr. Pyncheon, said to have been torn from the records, were sold at the same sale. A large collection of papers advertised as "Official Papers of the Provincial Congress of Massa-

chusetts at the most interesting and important portion of its deliberations,—the period preceding Lexington and Bunker Hill,” were advertised to be sold in Boston, but were replevined by the Commonwealth. At the first sale of the Leffingwell collection of papers, recently held in Boston, the city of Boston purchased forty-four lots, at a cost of nearly one thousand dollars, nearly every one of which was once the property of the city. At the second sale fifty-two lots of papers belonging to the Commonwealth were sold. It may be that to secure such papers that are out of proper custody there is no remedy except to purchase them; but more stringent measures should be taken to prevent the loss of others, and the penalty attached to the offence should be sufficient to act as a menace.

RECORD INKS.

In the third report the subject of inks for records was very fully treated, and the result of the examination of sixty-four inks was given. That the report upon the various inks was correct, may be assumed from the fact that, while a copy of the report was sent to every manufacturer, no complaint of any incorrectness has been made to the office. In that report I said: “I have been asked by several of the recording officers to recommend a permanent ink, and some persons who knew of this investigation have expected that it would result in the recommendation of a particular ink for records. Such a recommendation would be an official endorsement which would be unjust, if not actionable, unless every ink in the market had been considered and examined chemically.”

“What I hope chiefly to accomplish by this investigation is to awaken persons making records, official or other, to the necessity of the greatest care in the selection of inks and their treatment, and to call their attention to the important fact that the very quality—easy flow and freedom from sediment—that makes many inks popular with the persons doing the recording, is their worst recommendation for records.”

The interest has been awakened, and many inquiries have been made for the report from corporations, attorneys-at-

law, scientific men, and others who appreciate the value of permanency in ink. Some of the recording officers have discarded inks there condemned which they were using.

Several requests have been made for the name of the best ink, accompanied by the statement that the reply would be considered confidential; and the question has often been asked, "Is ——'s ink a good one?" It was distinctly stated in the report that no attempt was made to designate a "best" ink, or a "good" one, but to show what inks found to be in use were or were *not suitable for records*. Good commercial inks may be unsuitable for records, and good record inks too thick for rapid commercial work; and the same manufacturer may make, as some do, an excellent ink for each purpose. On page 130 of that report seventeen inks which need *not be discarded* for records are specified by number, the corresponding name being given on pages 122 and 123. The remaining thirty-four there named should not be used for records, though they may be excellent inks for other purposes.

Many of the inks which should not be used upon records are free flowing and more agreeable to use than permanent inks, containing more body. As long as recording and copying is paid for by the page, and the object is to accomplish the most in the least time, these inks will be in popular use, and used, and blotted off the paper before they have much more than colored it, only to disappear eventually. The State should set a standard for a record ink; and, while our present system of keeping records and furnishing supplies will not allow that its use be required on all public records, as in England, it would seem practicable for the secretary of the Commonwealth to advertise for proposals for inks of a certain standard, which the manufacturers should be bound to maintain, and that these should be used in all the State offices. With a State standard ink adopted, its use by recording officers would soon follow.

RECOMMENDATIONS.

In addition to the legislation proposed by the bills presented under their appropriate headings, I would recommend the passage of the following bill to supply defects

and deficiencies in chapter 37 of the Public Statutes, relating to public records : —

AN ACT IN RELATION TO THE PUBLIC RECORDS OF CITIES AND TOWNS, AND FIXING THE TERMS OF OFFICE OF CITY AND TOWN CLERKS.

SECTION 1. The word record shall mean all books of public record or registry made in the handwriting of the person or persons required to keep records, or of persons authorized by them to keep records, and all copies of the same made by order of a city or town ; all papers which are required to be filed with any city or town officer or board of officers, and all maps and plans made in conjunction with any of the public work of a city or town.

SECT. 2. City governments and selectmen shall provide, at the expense of their respective cities and towns, fire-proof rooms, vaults, or safes of ample size for the preservation of all records belonging to such cities or towns, and the clerk of each city and town, except as otherwise provided, shall keep in such fire-proof rooms, vaults, or safes all such records at all times except when they are wanted for use.

SECT. 3. The records of every city or town shall be open for public inspection and examination under the supervision of the officer having the custody of the same, or of some person duly authorized by him to exhibit them. And said officer shall on payment of a reasonable fee therefor, compare and certify all copies properly and correctly made.

SECT. 4. The selectmen of every town shall cause a permanent record book to be kept, in which all votes, orders, and proceedings shall be recorded.

SECT. 5. City governments and selectmen shall have all books of public record belonging to their respective cities or towns, substantially bound. When any of said records are becoming worn, mutilated, or illegible they shall have the same seasonably renovated and repaired, and shall have fair and legible copies seasonably made. And for the purpose of said renovating and repairing or copying, they may cause said records to be placed in the custody of the Commissioner on Public Records of Parishes, Towns, and Counties, who shall have such renovating and repairing or copying done at the expense of their respective cities or towns.

SECT. 6. The persons employed by county commissioners, city governments, or selectmen to make authorized copies of any records under the provisions of this act, or of chapter 37 of the Public Statutes shall be sworn to the faithful discharge of their

duties, and shall certify the copies made by them as aforesaid. Any such authorized copies heretofore made shall be certified under oath by the copyist or by any person employed by said county commissioners, city governments, or selectmen for that purpose.

SECT. 7. At the annual meeting held in every town in the year eighteen hundred and ninety-three, and every third year thereafter, there shall be a town clerk elected who shall serve for the term of three years, and who shall, during his term of office, except as hereinafter provided, be the clerk of all boards of town officers, but shall not be a member of any.

SECT. 8. The clerk of every town shall receive annually a salary of one hundred dollars to be paid by the Commonwealth in equal quarterly payments; and in addition thereto shall receive ten cents per capita of the population as given by the last preceding census, either State or United States, to be paid him in equal quarterly payments by said town.

If a town shall be divided, or any part shall be set off to a city or to another town or other towns, the clerk of either town may request the assessors of the cities or towns whose population is affected by such changes to make an estimate of the population of said towns as then constituted, and the assessors aforesaid shall forthwith make such estimate, and the part of the salary of the clerks of said towns, to be paid by said towns, shall then be calculated upon this estimate until the next census shall fix the population of said towns.

SECT. 9. All fees heretofore payable to the town clerks shall be collected by them and paid to the treasurer of their respective towns on or before the tenth day of each month.

SECT. 10. The town clerk shall record all votes passed at the meeting at which he is elected, and at all other meetings held during his continuance in office, and all reports of committees presented at any of such meetings which are not by statute or town by-laws required to be printed, and keep such records as the several boards of town officers are by statute required to keep, except as provided in section thirteen of this chapter.

SECT. 11. It shall be the duty of city and town clerks to prosecute in an action of tort in the name of their respective cities and towns, for the recovery of any penalty or forfeiture imposed by sections two and three of chapter thirty-two of the Public Statutes or any amendment thereof.

SECT. 12. The selectmen of every town shall provide an office for the use of the town clerk, and shall also provide a sign with the name of the town followed by the words "town clerk's office," in plain characters thereon, with sufficient board space immediately

below for posting thereon the legal notices required by law to be posted in towns, which sign and board space shall be placed and kept on or at the outside of the front door of the office of every town clerk, and said board shall always be one of the public places upon which any such legal notice may be posted.

SECT. 13. In any city or town in which the several boards or departments shall have separate offices for the deposit of their records and transaction of business, each of such boards or departments may elect or appoint a person to be secretary or clerk of such board or department, who shall keep a record of all votes, orders, or proceedings of such boards or departments, and such person shall be the custodian of their records, and keep them in fire-proof rooms, vaults, or safes, as hereinbefore provided. The treasurer of any city or town having such separate office shall be the custodian of his records and shall keep them in fire-proof rooms, vaults, or safes as hereinbefore provided.

SECT. 14. The books, reports, and laws furnished to cities and towns shall, except when placed in a public library, as provided in section eleven of chapter forty of the Public Statutes, be kept in the custody of the city or town clerk, or by some person duly authorized by him to keep the same. Said books, reports, and laws shall be kept in the book-cases provided therefor at all times when not in use.

SECT. 15. Any records of a city or town which have been left incomplete shall be made up and completed from the files and usual memoranda as far as possible, by the city or town clerk, or by the secretary or clerk of the board or department to which said records respectively belong.

SECT. 16. Beginning with the year eighteen hundred and ninety-three city clerks shall hold office for the term of three years.

SECT. 17. Every city and town, for each month it neglects or refuses to perform any duty required by this chapter shall forfeit twenty dollars. Every city or town clerk, and every clerk or secretary of a board or department as provided herein, or other person who neglects or refuses to perform any such duty shall forfeit for each offence ten dollars.

SECT. 18. The word town in this act shall not include cities.

SECT. 19. All acts and parts of acts inconsistent herewith are hereby repealed.

ROBERT T. SWAN,

Commissioner.

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FIFTH REPORT

ON THE

CUSTODY AND CONDITION OF THE PUBLIC RECORDS

OF

PARISHES, TOWNS, AND COUNTIES.

BY

ROBERT T. SWAN,
COMMISSIONER.

BOSTON:
WRIGHT & POTTER PRINTING CO., STATE PRINTERS,
18 POST OFFICE SQUARE.
1893.

31,

Commonwealth of Massachusetts.

OFFICE OF THE COMMISSIONER OF PUBLIC RECORDS,
9 PARK STREET, BOSTON, MASS., Jan. 4, 1893.

To the Honorable Senate and House of Representatives.

I have the honor to submit the first report of this commission, being the fifth in the series of reports on public records.

The uncertainty existing in regard to the re-establishment of the commission of public records was not dispelled until the first of June, consequently much time which could have been devoted to work of inspection in the towns was lost, and the number visited is smaller than it otherwise would have been. The time during the interval was devoted to closing up matters already begun, and to continuing the work of investigation of church organization, incorporation, etc., the results of which will be shown later, — work which needed no official authority.

The results of the work of the last year are gratifying, in that an increased interest has been awakened in the records, and much has been done toward improvement, as much, perhaps, as could have been expected in a matter which had lain comparatively dormant for almost forty years. The annual burning of town records which has taken place for the past three years has been kept up, but there is cause for congratulation that in one town the records had just been removed when the clerk's house was burned. The number of cities and towns reporting records burned now reaches forty-five. Twenty-five churches report records of one kind or another burned, and as in early years the church and parish records were in reality the town records part of these can be added to the list of town records burned.

Under the act establishing the commission it becomes the duty of the commissioner to report to the Legislature such recommendations and suggestions as may seem important for the safety and benefit of the records, and in the line of that duty I must repeat such recommendations contained in the fourth report on public records as did not result in legislation. That some there presented had not been adopted by a previous Legislature, but were by the last, encourages me to believe that further consideration of those which are again presented may result in their adoption.

Chapter 37 of the Public Statutes entitled "Of the Public Records" is made up of legislation enacted in 1851 or earlier, and is not adapted to the conditions existing to-day in the counties, cities, and towns. A few acts have since been passed, as certain defects were brought to light, but there has been no general revision which the chapter needs. Scattered all through the laws are matters relating to records, some absurd, some defective, and some at variance with the provisions of chapter 37. Much that is required cannot be done under existing circumstances.

The whole subject needs consideration by the Legislature which it has not yet received. To save the old records and provide for the proper making and keeping of the new the following legislation should be enacted. The word records should be defined that there may be no doubt as to how much or little the law intends to be covered by the term; a State standard for record ink should be established that the records may stand when written; towns should be required to provide an office that the records may have an abiding place; the town clerks should be compensated for maintaining that office and keeping it open at reasonable times, either in person or by representatives; the clerks should have longer terms of office; their duties should be defined and the matter to be recorded decided upon; fees should be paid to the towns and not to the clerks; provision should be made for copying and binding records which must be taken out of the town for the purpose; the State should assist in the expense attendant upon complying with the law; the validity of copies should be decided; provision should be made for supplying omissions or correcting errors in records;

penalty sufficient to insure compliance should be provided for neglect to return matter for record, that persons depending upon the records for their rights and resting on the assumption that the record is made shall not find, when too late, that it has been neglected; and authority should be given to some one to prosecute for violation of the laws relating to records.

The reasons for these recommendations are so fully set forth in the third and fourth reports that it does not seem necessary to repeat them at length, but a few new arguments are presented in their appropriate places.

GENERAL INFORMATION ON RECORDS.

The suggestion is frequently made that a report similar to the first report of the Commissioner on Public Records of Parishes, Towns, and Counties be issued, which would be a catalogue of the records in the various county, city, and town offices. This cannot be done until the Legislature shall establish beyond question who is the custodian of the various records now scattered far and wide, and shall provide some method for gathering and putting them in proper custody. As, however, much information relating to the records supplementary to that in the first report has been obtained, and many records have been brought to light, or recovered and put in proper custody, a brief summary of that information and a statement concerning those records are here given arranged by counties and towns. As the information was chiefly gained by personal inspection or interviews, it is meagre concerning the towns which I have not yet visited. The information relating to assessors' records is given under those headings.

County of Barnstable.

The county commissioners are having a copy made of all matters in the records at Plymouth pertaining to the present territory of Barnstable County, to the time of the establishment of Barnstable and Plymouth counties, June 2, 1685.

CHATHAM. The records of Monomoy from 1693 to 1712 are with the Chatham records. (June 11, 1712 the "Village or district of Manamoit" was established as Chatham by a resolve.)

EASTHAM. A volume of proprietors' records, and records of

Nawsett from 1646 to 1651, and of Eastham from 1651 to 1797 are in possession of Orleans. (The name of Nawsett was changed to Eastham June 7, 1651.)

HARWICH. The records of the proprietors of "The lands latterly purchased of the Quassons" from March 24, 1714 to March 25, 1822 have been recovered from private custody.

SANDWICH. The records of births, marriages, and deaths date from 1639, and not from 1650 as reported. The proprietors' records extend to 1768, not 1722 as reported.

County of Berkshire.

ADAMS. The following records of Adams, many of which were supposed to have been burned in the town office in North Adams in 1876, are in the vault at North Adams. One volume of town proceedings from 1778 to 1832, and all other town proceedings from 1855 to 1876; one volume of marriages and marriage intentions from 1786 to 1845; two of marriages and two of births from 1855 to 1878; one of births and deaths from 1845 to 1854; and one of deaths from 1861 to 1878. The record of deaths from 1855 to 1860 was probably burned.

DALTON. The record of births, marriages, and deaths is not complete from 1784 as reported. There is no record between 1802 and 1843.

GREAT BARRINGTON. The records from 1742 to 1761 reported from Great Barrington are of the North Parish of Sheffield.

MOUNT WASHINGTON. The proprietors' records have been found and returned to the town clerk.

PITTSFIELD. A volume of copies of miscellaneous records, containing the baptisms, marriages, and burials in the records of the First Church, for the years from 1764 to 1817, indexed by subjects, is in the custody of the city clerk.

SHEFFIELD. The records of the North Parish of Sheffield from 1742 to 1761 are with the records of Great Barrington. The three volumes of proprietors' records, one of which it was feared was lost, have been returned to the town clerk.

TYRINGHAM. The records of the proprietors of the new plantation called Number One from 1737 to the establishment of Tyringham in 1762 are with the records of Monterey, which was set off from Tyringham and kept the records.

WASHINGTON. A volume of proprietors' records from 1763 to 1788 was found in the office of the clerk of the courts at Pittsfield.

WEST STOCKBRIDGE. The volumes of records of town proceedings extend from 1774; of births, marriages, and deaths from 1779.

County of Bristol.

INFERIOR COURT OF COMMON PLEAS. A volume of the records from July 14, 1696 to July 14, 1702 was found among the mass of old records and papers in the cell of the court house at Taunton. The records from 1687 to 1696 are now needed to complete the records of this court.

REGISTRY OF DEEDS. Twenty-five volumes of copies of deeds recorded in the registry at Taunton have been forwarded to the registry at New Bedford. Each volume has a temporary number and index pending the completion of the volumes to be forwarded, when a general index will be prepared. The copy of each instrument has appended a reference to the original record.

FREETOWN. The volume of the records of "Ye Freemen's Lands of Freetown" which was in private possession in 1885 has been traced to Fall River but cannot now be found. It seems probable that this is the first and not the second as supposed. Information in regard to either is solicited.

SWANSEA. The town clerk of Barrington, R. I. has proprietors' records of Swansea beginning with a copy of the deed from Osamequid (Massasoit) dated March 1653. The latest date is March 16, 1797.

WESTPORT. The record of births, marriages, and deaths begins with the establishment of the town in 1787.

County of Dukes County.

COUNTY COURT. The volume of miscellaneous records mentioned under this heading in the first report contains the following additional matters. The record of a meeting of the Governor and Assistants at a General Court at Martha's Vineyard, sitting at Edgartown, July 2, 1674, to consider a petition of freeholders of Nantucket; of His Majesties Court Dec. 9, 1674 and Jan. 8, 1675; of a quarter Court at Edgartown March 28, 1675 and Sept. 28, 1675; and of Courts of Sessions and County Courts for years following.

COURTS OF SESSIONS. In the reverse of volumes V. and VI. of the records of the Inferior Court of Common Pleas from 1763 to 1798 are the records of the Courts of Sessions for this period. There are several unbound volumes called records of Courts of Sessions, and in the reverse, records of the Court of Quarter Sessions for years about 1730.

INFERIOR COURT OF COMMON PLEAS. In volume I. of the records of this court are marriages in Tisbury from 1761 to 1768. In volume V. are marriages in Tisbury from 1773 to 1795, and in

Chilmark from 1775 to 1788. A note by Richard L. Pease says "all these are recorded on town records of Tisbury and Chilmark. Compared by me Jan. 11, 1850."

COUNTY COMMISSIONERS. A volume of county commissioners' records beginning May 21, 1834, four years earlier than the volume reported, is in the office of the clerk of the courts.

EDGARTOWN. The name of the town was changed from Great Harbour, July 8, 1671. The proprietors' records extend from 1676 to 1794; the "town records," so called, from 1731 to the present time. In the volume of proprietors' records are births, marriages, and deaths from 1656 to 1717 evidently compiled from other sources, and arranged and copied.

TISBURY. The name of the town was changed from Middletown, July 8, 1671. The charter of 1671 from Governor Lovelace of New York is in possession of the town.

County of Essex.

SUPERIOR COURT. In moving to the new court house a volume was found containing a copy of the following records.

All matter in the State Archives relating to witchcraft in Salem from 1692 to 1710.

Records of the Court of Assistants, beginning with the session of March 3, 1673 and ending March 23, 1692.

Records of terms of the Superior Court of Judicature of the late Province of Massachusetts Bay, held for Essex County from Jan. 3, 1673 to May 16, 1696.

A package of papers was found also, containing copies of testimony in the witchcraft trials, and many ancient original miscellaneous papers. Many of these are petitions of towns and individuals, affidavits, etc., relating to Peter Pateys' ferry at Bradford.

BOXFORD. The proprietors' records have been recovered from private possession.

GLOUCESTER. The records of town proceedings to 1753, and of births, marriages, and deaths to 1851 have been copied, and the latter indexed. The records of the first, second, third, fourth, and fifth churches which were copied in 1877 are being indexed by the city clerk.

LYNN. It is now probable that no records were burned in the city hall in 1863 as reported, excepting some assessors' records mentioned elsewhere.

MARBLEHEAD. The second volume of the town records covering the years from 1710 to 1721 is supposed to have been destroyed within a few years to prevent the town from showing title to lands at Marblehead Neck.

ROWLEY. The volume of records of the proprietors of the "East Ox Pasture in Rowley" from 1769 to 1844 has been returned to the town clerk.

SALISBURY. An old volume among the Amesbury records with dates as early as 1657 appears to be proprietors' and town records of Salisbury and New Salisbury until the establishment of Amesbury in 1668, when it bears the name "Almsbury."

County of Franklin.

MONTAGUE. The proprietors' records have been returned to the town clerk.

County of Hampshire.

AMHERST. The first volume of town records contains records called "Records of Hadley 3d precinct," beginning Sept. 23, 1735, and continuing under that name four years after the precinct was made the district of Amherst. The records from 1735 to 1788 have been printed.

BELCHERTOWN. The first volume contains the records of the inhabitants of the plantation of Cold Spring for twenty-one years before the establishment of Belchertown in 1761.

County of Middlesex.

REGISTRY OF DEEDS. The copying of the records in the registry at Cambridge for the registry at Lowell is nearly completed. Sixty-six volumes have been forwarded to Lowell and there will be about one hundred and seventy-four more, the whole covering the time from 1649 to July 1, 1855. An index of the whole series will be commenced in a few months.

BILLERICA. The records of the town begin in 1654, and are continuous with the exception of those from 1753 to 1778 which are in a missing volume. There is a copy, made in 1665, of a "Book of Grants" commenced in 1659. This gives the date of the grant to the proprietors as May 23, 1655, the Massachusetts records giving it as May 29.

BURLINGTON. The records of the Second Parish in Woburn beginning in 1730 are in possession of the town clerk. These are continued to 1796 where there is a lapse until 1799 when Burlington was established.

CONCORD. A memorandum of events from 1688 to 1795 made by Thomas Brown, a former town clerk, has been given to the town clerk by a citizen of Acton.

DUNSTABLE. Missing records of Dunstable as follows are in the office of the city clerk at Nashua, N. H. One volume of births,

marriages, and deaths from 1679, six years after the establishment of the plantation, to 1743, which completes those records from the first date; three volumes of proprietors' records covering years from 1729 to 1739, and from 1760 to 1807.

HOPKINTON. Proprietors' records reported to be in the registry of deeds at East Cambridge were in the vault at Hopkinton. They cover the years from 1745 to 1825. The records at East Cambridge are a series of nineteen volumes of "Deeds of Hopkinton and Upton." These important records which are not generally known to exist were placed there by Act of March 7, 1833.

MARLBOROUGH. A volume called "Marlborough town book: the Day Book," containing records of lay-out of lands, town meetings and miscellaneous matters from 1666 to 1699, has recently been found and returned to the city clerk. There are loose leaves of another volume bearing dates as late as 1740.

PEPPERELL. The earliest volume of births, marriages, and deaths in which the record proper begins in 1742 has an arrangement of these records by families containing entries of as early date as 1727.

WALTHAM. There is an apparent omission to record marriages—except an occasional one—from 1812 to 1844. Four or five hundred marriage intentions between 1738 and 1800, and fifty-five hundred between 1874 and 1884 were not indexed. These have been indexed by the present clerk.

WATERTOWN. There are proprietors' records in the back of the first volume of town proceedings which are earlier than the volume called proprietors' records, beginning in 1644. The records of the East Precinct in Watertown from 1685 to 1792 are in possession of the town clerk.

WESTFORD. The reported absence from the records of town proceedings of the record from 1764 to 1768 is incorrect. There is a copy of the record of marriages from 1728 to 1845, including out of town marriages of Westford parties.

WILMINGTON. The records of town proceedings from 1762 to 1786, which were reported lost, are contained in the reverse of a dilapidated volume.

WOBURN. The first volume of town proceedings is lost. The volume reported as beginning in 1640 appears to be a copy of memoranda of important events commencing in 1640, and later of original records.

County of Nantucket.

COUNTY COMMISSIONERS. As the selectmen act as county commissioners no records of county commissioners were looked for in

the Superior Court in 1887. There is, however, a series of records bearing that title, beginning April 21, 1828, and still continued. The volume containing the record of meetings between May 2, 1883, and May 7, 1888 is missing and was probably destroyed.

NANTUCKET. The volume covering the years from 1754 to 1784, reported as missing, is with the town records

Ancient County of Norfolk.

(Ancient Norfolk County established May 10, 1643 was comprised of "Salsbery," Hampton, "Haverill," "Excetter," Dover, and Strawberry Bank, now Portsmouth. February 4, 1680 Salisbury and Haverhill were annexed to Essex County, the other towns then being in New Hampshire.)

COUNTY COURT. The records of the County Court, beginning with a session at Hampton Sept. 26, 1648, and ending with a session at Salisbury Oct. 14, 1679, are in the registry of deeds at Salem. The volume has been repaired and rebound.

In the back of a volume of deeds in the registry of deeds at Salem there are records of births, marriages, and deaths returned to the County Court. This contains records of Salisbury births from 1642 to 1670, deaths from 1641 to 1670; Haverhill births from 1641 to 1671, marriages from 1644 to 1667, deaths from 1641 to 1671; Exeter births from 1645 to 1669, deaths from 1648 to 1671; and Hampton births from 1650 to 1667, marriages from 1651 to 1669, and deaths from 1649 to 1666.

County of Plymouth.

SUPREME COURT. The records from 1853 to 1866 which were missing in 1889 have been found.

COURT OF GENERAL SESSIONS OF THE PEACE. In volume I. of the records of the Court of General Sessions of the Peace, beginning Sept. 15, 1730, there is the following note: — "The Sessions Proceedings before this are contained in pamphlets not bound, of which there are three if not four." The pamphlets are not at hand, but in volume I. reversed of the records of the Inferior Court of Common Pleas, page 17, there is a record of the General Sessions of the Peace from June 17, 1713 to June 3, 1717, relating to laying out of highways. These are indexed in the front of the volume with the note "Book tother way."

DUXBURY. The first volume of records of town proceedings, covering the years from 1640 to 1688, reported as lost, is now in possession of the town clerk. The births, marriages, and deaths contained in an ancient volume called Records of Duxbury have been copied and arranged.

EAST BRIDGEWATER. The town has four volumes which are copies of five and part of the sixth volumes of Bridgewater town records from 1656 to 1823.

HULL. A fire April 28, 1892 destroyed a copy of the two oldest volumes of records of town proceedings; three volumes of births, marriages, and deaths covering the years from 1843 to 1891 inclusive; three volumes of mortgages of personal property; and two volumes containing the record of all town meetings from 1872 to 1892 inclusive. Some files of papers were also burned.

The diary of Zachariah Whitman from 1670 to 1726, referred to in the first report, has probably been burned in a fire in Sudbury. A manuscript history of the town is in possession of Francis H. Brown, M.D. of Boston.

KINGSTON. The records from 1719 to 1726 are the records of the North Precinct of Plymouth.

MARSHFIELD. The proprietors' records have been returned to the town clerk, and a copy has been made in the registry of deeds at Plymouth.

MIDDLEBOROUGH. There is a volume of proprietors' records, evidently an ancient copy, beginning March 5, 1690 and containing a record as late as 1799. Original records of meetings begin Feb. 12, 1845. Another copy covers years from 1690 to 1806. A volume of original records begins May 18, 1703 and ends May 1, 1782. A plan of the lands made Dec. 6, 1773 is with this volume.

PLYMOUTH. The town records begin in 1637.

ROCKLAND. A copy of the births, marriages, and deaths recorded in the Abington records from 1712 to 1874 is with the town records.

SCITUATE. A volume bearing the following on the title page was found in Scituate not in a safe: "The Booke of the Generall Lawes and Liberties of the Inhabitants of the Jurisdiction of New Plymouth Collected out of the Records of the Generall Court and lately revised and established and disposed into an Alphabetticall order and published by the Authoritie of the Generall Court held att the Towne of Plymouth The 29th day of Septem: Anno Dom. 1658. Bee Subject to every ordinance of Man for the Lords Sake. 1 peter 2, 13." The introduction to volume XI. Plymouth Colony Records refers to this volume in the following words. "A manuscript volume of the laws belonging to the town of Scituate has been of great service in supplying some deficiencies and illegible portions" [of the original records]. This volume is safe in my possession pending a reply to a request that Scituate allow it to be placed with the Archives at the State House.

WAREHAM. A volume of proprietors' records relating to the territory now wholly or partly included in Wareham has been discovered and will be copied for the registry of deeds at Plymouth. It is allowed to remain in private possession, being safer than with the Wareham records.

County of Suffolk.

SUPREME JUDICIAL COURT. For any additional information in regard to the records of this court reference is made to the catalogue of records and files issued in 1890.

BOSTON. Among the mass of matter found in moving from the old to the new court house was a chest containing, among other papers, about three thousand indentures binding apprentices, which had been filed with the town clerk. The earliest of these is dated Nov. 27, 1734, and the latest 1805. They bear the signature of the selectmen of Boston, and attached to many are certificates of the selectmen of the town where the master dwelt, endorsing him as "a man of sober life and conversation, and in such circumstances that we can recommend him as a fit person to bind an apprentice to." A master in Framingham writes that his apprentice has joined the Continental Army, and been in it "ever since Lexington Battle."

These are of historical value as accounting for boys who disappeared from Boston, and for the presence in the records of a town of names of men whose ancestry has been in doubt, no parents ever having dwelt there. The names of the selectmen of the towns which appear here may supply deficiencies in towns where the records have been destroyed, and no record of the names exists. It is a source of congratulation that these papers have not fallen into the hands of autograph collectors. They are now in the custody of the Boston Record Commissioners, and will undoubtedly be printed.

DORCHESTER. The records of the First Church, under date which is presumably Aug. 4, 1695, say "Mr. Millett Town Records in part burnt in his house."

ROXBURY. Early records of Roxbury were burned, as appears by the following: "The town boock wherein most mens lands being recorded by gods providence being burned."

County of Worcester.

AUBURN. There are no records as reported beginning in 1740. The records begin June 19, 1773 and until 1778 are of the "Parish lately set off from Leicester, Oxford, Sutton, and Worcester;" from 1778 they are of the town of Ward until the name was changed to Auburn in 1837.

BERLIN. The original records of births, marriages, and deaths from 1784 to 1841 have disappeared since copies were made in 1850. Information is desired in regard to them.

CHARLTON. The first volume of records of town proceedings had been missing since 1880, but a few hours after my visit of inspection, Sept. 29, 1892, it was received by express from Springfield from an anonymous sender.

DOUGLAS. A volume of proprietors' records has been discovered and placed in the custody of the town clerk.

DUDLEY. The copy of the Act establishing Dudley, recorded in the first page of the records, gives the date June 1, 1732. The original Act in the Archives at the State House gives Feb. 2, 1732.

NORTHBOROUGH. A volume of proprietors' records is known to have been in existence, Dea. Jonathan Livermore being clerk at the time, but it has been missing for about fifty years.

OXFORD. The earliest records kept during the first settlement made by the French were taken to Boston and probably burned in the old State House. The deed to the town in 1713 is looked upon as the date of the second settlement, and the present records begin at that time.

PHILLIPSTON. The records begin March 1, 1774, and to Oct. 6, 1786 are for the West Precinct in Templeton; from Jan. 16, 1787 they are of the town of Gerry until the name was changed to Phillipston in 1814.

SPENCER. The records from 1744 to 1753 are of Leicester West Parish or Second Precinct in Leicester.

WESTBOROUGH. The statement in the first report that "There is a record of births, marriages, and deaths, in the diary of Rev. Ebenezer Parkman, part of which is in possession of the American Antiquarian Society, and part in possession of Nahum Fisher" is said to be incorrect.

TOWN RECORDS.

The ancient town records, and the parish records which preceded them, are not of local importance alone. Their historical value is most forcibly set forth by Hon. Charles Francis Adams in his recent work "Three Episodes of Massachusetts History." He says, "It is in the towns and town records of Massachusetts, therefore, that the American historical unit is to be sought. The political philosopher can there study the slow development of a system as it grew from the germ up. The details are trivial, monotonous; and not easy to clothe with interest; yet the volumes which contain

them are the most precious of archives. Upon their tattered and yellow pages the hardly legible letters of the ill-spelled words are written in ink grown pale with age; but they are all we have left to tell us of the first stages of a political growth which has since ripened into the dominant influence of the new world; nor is it too much to imagine that when the idea of full human self-government, first slowly welded into practical form in New England towns, and as yet far from perfected shall have permeated the civilized world and assumed final shape, then these town records will be accepted as second in historical importance to no other description of archives."

One illustration will show the general historical value of a town record. Until 1696 it was the custom for towns to choose two deputies to serve them in the Legislature alternately during different sessions of the same legislative year. The Journals of the House at that time are missing, but an entry in the Woburn town records shows that May 28th, 1696, the General Court disallowed the practice and decided that but one could serve from Woburn (Acts and Resolves of the Province of Massachusetts Bay, Vol. VII., p. 104).

But the town records have a local value outside of the town whose name they bear. So much of the Dartmouth records as relate to the part now New Bedford are of more value to New Bedford than to Dartmouth. The early records of Free-town may be of great value to Fall River; those of Duxbury to Brockton; the Bridgewater, Abington, and the towns between; those of Newbury to Newburyport; of Chelmsford to Lowell; of Lunenburg to Fitchburg; of Springfield to Chicopee and Holyoke; and those of Charlestown to the cities of Everett, Somerville, Medford, Malden, and Woburn, and the four towns once in its territory. Similar cases can be enumerated, and in many, if not most, the part set off has become the largest in population and most valuable. To this part then the records are most valuable as a basis of individual rights. The record of the ancient lay-out of a highway may become of greatest importance when lines of a city street are in dispute and large sums are at stake. Valuing town records upon this basis the question arises why in fairness a town small in population but large in territory, and corre-

spondingly poor, which has lost its most prosperous part, should be obliged to bear the expense of putting its old records in the required condition, and providing a place of safety for them? Why should not the expense be shared, and, possibly, provision made for keeping them at some place accessible to all the cities or towns interested, at a shire town for instance? Or upon a broader basis, in view of the constant changes in town and county lines which has been constantly going on, and the migration of people from one town to another, — which in the early days was the manner of settling the interior towns, — should not the State bear part of the expense where it would be a hardship to oblige a poor town to incur it? These seem to be questions worthy of consideration.

In the detailed report upon the towns frequent mention is made of old chests of papers, many of which I have searched through often finding papers of sufficient importance to demand immediate removal to places of safety. The town of Weston has had all such papers as could be found examined and put in order for preservation, and a detailed statement of them will be printed in the town report, March 1893. There is no reason to suppose that these are of any more value than such papers may be to any town, and as the idea that they will be of value to a town is often scouted, a few results of the examination in Weston are given. The volume of records beginning in 1746 contains in the first pages sentences which would seem to establish the fact that this was the first volume. It has latterly been known, however, that an early volume existed but was missing, and among these papers are positive proofs that there was a record beginning, certainly, as early as 1698. Original papers bearing the signatures of the town clerks have been found which supply information undoubtedly recorded in that volume, and which would stand in place of the record. By some of these the names of town clerks during the time covered by the missing volume have been ascertained, and by following clues furnished by these papers the names of others have been discovered, and the list is now complete. That certain reports were printed which cannot be found is proved by the bills for the printing in early years. About thirty deeds to the town have been found, six or eight of which were never recorded,

and among them is the deed of the South Burying Ground which not only was not recorded, but not acknowledged, and, therefore, cannot be recorded. Many tax lists, maps, plans, and miscellaneous papers of historical value have been brought to light.

As will be seen in the detailed report upon the condition of affairs in the towns, it ranges from excellent to so bad as to be a disgrace to a community. The reasons for both conditions are usually the same, in the former case the town having provided an office or offices and compensated persons for filling them; in the latter, the town having elected a clerk and left him to furnish and run an office at his own expense of money and time. In the former the records are searched for, collected from far and near, and preserved; in the latter, such old records as come in the clerk's way are cared for to the best of his ability, with the inevitable result that sooner or later some will be lost or destroyed.

The condition of affairs pertaining to the records in the towns visited is herewith presented, with the date of the visit.

ASHBURNHAM (Oct. 17, 1892). Wooden town hall containing the selectmen's office. There is a very large but rather damp vault; this contains all the records which are not at the clerk's office, and also most of the public documents and Massachusetts reports. The clerk has a very small town safe, originally purchased by himself, only sufficiently large for three volumes. This is kept in his printing office. It is insufficient for his needs, and part of the records are not in the safe. The records are all in good condition, such as were not having been rebound in 1891. The valuation lists are nearly or quite complete, those prior to 1860 being unbound. Marriage certificates and burial returns have been preserved since 1852, and filed since 1887. The collectors' records have not been returned to the town. The rebellion record has not been written up, but the names of the volunteers have been published in the town history. The clerk has indexed the record of lay-out of lands from 1820 to 1860, and is now indexing all the general records. He has been obliged to rewrite about seventy-five pages of his records made in 1888 with an ink called Carpenter's Fluid, which had almost entirely disappeared.

AUBURN (Sept. 12, 1892). The town hall is in the lower story of a wooden church edifice which contains also the public library.

In a dwelling on a lot purchased by the town as a site for a new town hall there is a large safe new in 1891, and an older small one. The clerk has a small town safe at his house, in which the current records and all records of births, marriages, and deaths are kept. All other records are in the new safe. The records are in good condition. The valuation lists are complete from 1786. Marriage certificates and burial returns have been preserved since 1887 only. The volume supplied by the State for the rebellion record has not been written up, but the clerk has made a very complete record in a volume made for the purpose. The collectors' records from 1877 to 1890 and for some years earlier have been returned to the town. A chest in the town hall contains many old papers, but the important ones are thought to have been removed to the safe.

BARNSTABLE (July 20, 1892). Wooden town hall in about the geographical centre of the town used only for town meetings. The clerk's office is in his house at Osterville where he has a large town safe, new in 1885, in which his records are kept. The records are in excellent condition, the earlier ones having been rebound some years ago. The first four volumes of town proceedings have been copied and nearly indexed. A small wooden building at West Barnstable is used as the town office. The valuation lists from 1861 and the selectmen's books and papers are there, not in a safe. The clerk's predecessor was in office forty years, and the files and papers have been preserved with care, and with the valuation lists earlier than 1861 are in the clerk's house, neatly arranged, but not in a safe. Marriage certificates and burial returns have been preserved for very many years, and since 1888 filed and indexed. The clerk has by means of circulars addressed to parents or relatives obtained much information which was needed to complete the records of births, marriages, and deaths. The collectors' records have not been returned to the town. The rebellion record has been written up in the volume furnished by the State, and in addition Gustavus A. Hinckley, Esq., has made an extensive record which is a model for completeness and penmanship, and includes beside the official record of the volunteers copies of diaries kept by two soldiers, copies of the action of the town in matters relating to the war, the experience of a prisoner in several of the southern prisons, and various other interesting information.

BERLIN (Oct. 20, 1892). Wooden town hall. The selectmen's room there contains a large safe used by them and the assessors.

This contains all the later valuation lists and volumes containing copies of them from 1794. The original lists are in possession of the town, but not in safes. The town safe, in the clerk's dwelling, contains his records, which are all in good condition with the exception of the first volume of town proceedings which needs binding. Files of papers, unusually well arranged, cover all the years from 1874. The original records of births, marriages, and deaths, from 1784 to 1841, are not known to be in existence, but copies were made from them in 1850 which also contain records taken from family registers. Marriage certificates and burial returns have all been preserved since about 1850, and there are a few scattering ones from 1846. The collectors' records have not been returned to the town. The rebellion record has been written up.

BLACKSTONE (July 6, 1892). Wooden town hall used for town meetings, but containing no offices. The town uses two rooms in a stone hotel, in one of which is a safe used by the clerk only, which is full to overflowing. The records are in good condition. The selectmen and assessors have no safe, all their records being in a room in the hotel, unprotected from fire. The records of the overseers are not kept in a safe. The collectors' records have not been returned to the town. The rebellion record is written up. Marriage certificates and burial returns have mostly been preserved since 1850.

BOURNE (Sept. 21, 1892). A room in a wooden dwelling is used as the selectmen's office. Two small safes there are used by the selectmen and assessors for their records. A very large town safe, new in 1891, is in the post-office in a wooden building. In this all the clerk's records are kept, and include copies of all the records of Sandwich including the valuation lists from 1791. Marriage certificates and burial returns have been preserved since the incorporation of the town in 1884. The collectors' records have not been returned to the town.

BOYLSTON (Oct. 12, 1892). Stone town hall used for town offices and the public library. A safe, new about 1889, contains the older records of the clerk and assessors, and those of the selectmen. The clerk has his records in a small town safe new in 1892, in a wooden office building. The house of the previous clerk was burned early in 1892, but the safe and records had just been removed. The records are in good condition with the excep-

tion of the record of the North Precinct in Shrewsbury, from which Boylston was formed. The present clerk has indexed the records of roads previous to 1860, and all fence divisions from 1804, which were recorded in the miscellaneous records. As chairman of the school committee he has their records, including the school district records, which are complete with the exception of one volume. Marriage certificates have been preserved since 1874. The later valuation lists are at the clerk's house, not in a safe. The collectors' records have not been returned to the town, and some are known to have been burned in a collector's house. The rebellion record has been written up.

BREWSTER (Oct. 28, 1892). Wooden town hall containing the selectmen's room. There is a very small safe in that room to which the clerk has not access, said to contain only bills and papers. The clerk has a very small town safe for his records, new in 1889, at his dwelling. Some of these, however, were not in the safe. The valuation lists from 1860 were in the selectmen's room, not in a safe, and duplicates of them from 1882 were at the clerk's house, not in a safe. No valuation lists earlier than 1860 were known to exist, and no papers had been transmitted by the previous clerk to the present. I found in the town hall two chests in which the valuation lists for 1838, and from 1841 to 1860, together with many papers filed and arranged by the previous clerk, were kept. Marriage certificates and burial returns have been preserved only during the term of the present clerk, four years. The rebellion record has not been written up, but a partial list of the volunteers was found among the papers in the chest referred to. A copy of the births, marriages, and deaths from 1867 has been made from the records of Harwich, from which Brewster was set off. These were arranged in families, and the original entries for Brewster have been continued in the same way in the same volume.

BROOKFIELD (Aug. 10, 1892). Brick town hall, the lower floor of which is used for business purposes. There is a small vault completed in 1891, and a town safe which is used by the clerk only. All files were put in order two years ago, and all the records and files are kept in the safe or vault. Some of the records were destroyed by fire, but a volume of four hundred and eighty-eight pages has been made by John Q. Adams, Esq., from copies of loose leaves saved from the fire, which were arranged chronologically, and covered dates from March 1719 to Dec. 4, 1753. All the records are in good condition with the exception of the volume of proprie-

tors' records and the loose leaves referred to. The valuation lists are nearly complete from 1787, but are bound only since 1860. The valuation lists for 1861 and 1864 are missing, one having been carried out of town by an assessor and lost. Marriage certificates and burial returns have been preserved since 1877, the present clerk's term of service. The collectors' records have not been returned to the town. The rebellion record has not been written up, but a record made in North Brookfield contains the record of many Brookfield volunteers.

CHARLTON (Sept. 27, 1892). The *basement only* of a wooden church building is owned by the town and occupied as the town hall. There is a very old safe containing valuation lists bound from 1838, and some miscellaneous records. The selectmen's office is in a wooden building used for a school-house and public library, where there is a very small safe used for their records and papers. The clerk has a town safe, new in 1891, in his store in a wooden building. The first and second volumes of births, marriages, and deaths are in bad order and need binding and copying. The first volume of records of town proceedings which has been missing for twelve years was returned anonymously by express from Springfield two hours after my visit. There is a large accumulation of files of papers in cases in the selectmen's room, among them being valuation lists nearly or quite complete from 1754 to 1838. These papers have been arranged to a certain extent by the present clerk. Marriage certificates and burial returns have been preserved from about 1844 to 1854, and from 1886. The collectors' records have not been returned to the town. The rebellion record has been carefully written up.

CHATHAM (Oct. 25, 1892). Wooden town hall containing the masonic lodge room and selectmen's room. I was unable to gain access to it, but was informed that it contained two safes, one comparatively new, in which the selectmen's and part of the assessors' records were kept, the older ones not being in a safe. There is a town safe in the clerk's store which is filled with his records and papers. The first volume is in tatters, and several others are in very bad condition from the dampness of the former safe. The first, second, and third volumes have been copied, and part of the fourth, but none of the copies have been certified. Marriage certificates and burial returns have been preserved since 1873, and there are some for earlier years. The collectors' records have not been returned to the town. The rebellion record has been partially written up.

CLINTON (Oct. 11, 1892). Brick town hall containing two vaults, one used by the assessors and for the overflow of the other records, and the other by the road commissioners. The selectmen and assessors have an office there, and the selectmen have a safe for their records and papers. The town clerk, who is also water register, and the treasurer and collector, occupy a room in a brick business block where there are three safes containing all their records. One is new this year. The records are all in good condition. The assessors' records are complete from the time of incorporation. The collectors' records have not been returned to the town. If the rebellion record has been written up it is not in the present clerk's possession. Marriage certificates and burial returns have been preserved since 1881, and there are some for occasional years earlier.

DENNIS (Sept. 21, 1892). Wooden town hall used only for meetings. The town office is at the poor farm about a mile and a quarter from the clerk's office. There is a large safe there, new in 1891, containing the valuation lists from 1794. The clerk has a small old safe in his dwelling containing a small part only of his records, the others being in a closet and on the safe. The first volume of births, marriages, and deaths needs binding, the other records being in good condition. All births, marriages, and deaths were recorded originally by families in addition to the required record, and this custom has been continued with the exception of during the term of one of the clerks, a few years only. Files of papers of various kinds are kept in the clerk's store, not in safes. Among these are marriage certificates and burial returns which have been preserved for many years, but the dates were inaccessible. The collectors' records have not been returned to the town. The rebellion record has been written up.

DUDLEY (Sept. 22, 1892). The town office is in a wooden building used in part as a store and in part as the post-office. There is a very large safe there new in 1892. The clerk has a small safe, also new, in his dwelling, and all records are kept in one or the other of them. The records are all in good condition with the exception of three old volumes which are somewhat worn. Certificates of marriage have all been preserved since 1881, and there are many for various years from 1826. Burial and death returns have been preserved since 1888. The valuation lists have been preserved since 1777, many of the earlier ones being in pamphlet form. The collectors' records have not been returned to the town. The rebellion record has been written up.

GARDNER (Oct. 13, 1892). Wooden town hall, with a brick addition in which the selectmen and town clerk have offices. There is a vault in the clerk's room in which there is a safe, and all the later records of the different departments are in one or the other. There is a small vault in the wooden part of the building opening out of the district court room, and used chiefly by the court, in which many of the older records and a large accumulation of files of papers are kept. Some of the volumes of records need rebinding. A large accumulation of papers was left in confusion by the previous clerk, and has not been arranged. The marriage certificates and burial returns have been preserved for many years, but owing to the confusion referred to dates are not obtainable. The early valuation lists are in the vault in the court house, but dates could not be ascertained. The collectors' records have not been returned to the town. The rebellion record has been written up.

HARDWICK (Oct. 26, 1892). Wooden town hall containing the selectmen's office. There is a fine large vault built in 1888, in which all the records and papers are kept, with the exception of the clerk's current records, which are in a safe loaned to him, which is kept in a store near his residence, his entrance to which is at the option of the proprietor. A volume of original records, beginning in 1747, contains copies of the earlier records from 1734. A note made by Rev. Lucius R. Paige says that the records for many years were on unbound sheets, and that in 1840 the town authorized their copying and the binding of the copy with the original records, beginning in 1747. These sheets could not be found at the time of my visit. The valuation lists are filed from 1737 to 1830, and all since are in pamphlets or in bound volumes. The clerk who was just elected had no knowledge of the rebellion record. The collectors' records have not been returned to the town. There is an old safe in the selectmen's room containing nothing of value.

HARVARD (Oct. 4, 1892). Wooden town hall in which there is a large vault. The records and papers are kept in this. The records are all in good condition. The births, marriages, and deaths from the incorporation of the town to 1845 have been copied upon the plan adopted in the printed records of Woburn. Marriage certificates and burial returns have been preserved since 1883, and there are some for various years since 1857. The valuation lists have been preserved since 1786, all prior to 1819 being in pamphlets. The collectors' records have not been returned to the

town. The rebellion record has been written up. The records of the First Church, from 1753 to 1776, have been placed in possession of the town clerk and are kept in the vault.

HARWICH (Sept. 23, 1892). No town hall. The selectmen's room is in a building at the town farm about one mile and a quarter from the clerk's office. There is a small safe there in which a few of the later valuation lists are kept. All the earlier are in closets, the very earliest being in pamphlets. The clerk has a business office in a wooden block used for business purposes and as a public library. He has two small town safes, one new this year, in which his records are kept. The volume of proprietors' records, the first of town proceedings, and one of intentions of marriage are in bad order and need binding. The first and second volumes have been copied, but the second has not been certified. Marriage certificates and burial returns have been preserved since 1882. All of the collectors' records which it is thought possible to obtain have been collected and are in possession of the town. The rebellion record has not been written up.

HOPEDALE (June 13, 1892). Stone town hall containing the public library, post-office, and a store. There is a good safe in which all the records except those of the school committee are kept. Certificates of births, marriages, and deaths have been preserved and filed. The collectors' records are in the safe. The clerk has been clerk of all boards until the present year, but is now clerk of none. The plan of all the highways is kept in the safe.

LANCASTER (Oct. 11, 1892). Brick town hall used for meetings only. The town office is in a brick building considered fire-proof, and for that reason containing no safe. In this building the clerk and different departments have their current records in wooden compartments in a room finished in wood. A two-story addition to the building is probably absolutely fire-proof with the exception of a wooden ceiling. This is used chiefly by the public library, but a few of the older records are kept upon shelves there, not in the clerk's custody. A few old volumes need binding. The very earliest records were burned. There is one volume called "Earliest remaining town and proprietors' records," and one called "Copy of the earliest remaining town and proprietors' records, and subsequent proprietors' records." The births, marriages, and deaths from 1643 to 1850 have been printed, the deficiencies occasioned by the burning of the oldest records having been supplied as far as possible from various sources. Marriage certificates have been preserved since 1885, and burial returns since 1888. I was unable

to gain access to the assessors' records. The collectors' records have not been returned to the town. The rebellion record has been written up.

LEICESTER (July 22, 1892). Brick town hall with the selectmen's and assessors' room containing a small safe. The clerk's office and the post-office are in a small addition to a wooden building used as a store and dwelling. In this there is a large town safe in which all the clerk's records are kept. All the old volumes, some of which were fragile, were renovated and rebound in 1886. One early volume of the proprietors' records has been robbed of nearly half the leaves, taken before the recollection of any one now living: these are supposed to have contained plottings of the lands. The vault at the town hall contains old papers and records well preserved and in excellent order. The valuation lists from 1794 to 1881 have been copied and bound. Births, marriages, and deaths from 1868 have been copied. Marriage certificates have been preserved since 1840. The collectors' records from 1857 have been returned to the town.

LEOMINSTER (Oct. 7, 1892). Brick town hall with a vault used for the overflow of the records from the safes. The clerk is treasurer and collector, and has an office in a brick business block where he keeps office hours. The selectmen use this room also. There are three safes there, two comparatively new, in which the records and papers of the clerk in his several capacities, and all the selectmen's are kept. The assessors have an office in a brick block, where they have a safe in which the records for about fifteen of the later years are kept. The water board also has an office in another building in which their records are kept. The records are all in good condition excepting the first volume, of which, however, there is a copy. Seven volumes have been rebound. Marriage certificates and burial returns have been preserved since 1885. The collectors' records have been returned to the town. The valuation lists are bound from 1813, and there are many earlier books and papers relating to taxes in the vault. The present clerk has indexed all the births, marriages, and deaths from 1740, and has traced over many of the records which were fading, some of them being of no older date than 1850. Reports of committees and other important papers are filed by years from 1833, some of them having recently been collected from various places by the present clerk. Cemetery records, sewer plans, etc., have been put in good order, and are kept in safes. The whole condition of

affairs is an illustration of the wisdom of having a town clerk's office conducted upon business principles. The rebellion record has not been written up.

LUXENBURG (Oct. 4, 1892). Wooden town hall containing the public library. There is a large safe, new in 1891, in which the selectmen and assessors keep all their records and papers from 1873. An older safe contains all their earlier records, and the oldest volumes of town proceedings, and births, marriages, and deaths. The clerk has a town safe in his dwelling. All of the records are kept there including copies of town proceedings, and marriage intentions from 1728 to 1796, and births, marriages, and deaths from 1728 to 1842. Only a part of these copies, however, have been certified. Some of the older volumes are slightly out of repair and need binding. Most of the files of oldest papers were arranged and bundled up many years ago by a former clerk, among them being valuation lists from 1732 to 1820, and certificates of marriage and burial returns for many early years. Since 1882 all certificates of marriage and burial returns have been preserved. The valuation lists are complete from the incorporation of the town. The collectors' records have not been returned to the town. The rebellion record has been written up.

MENDON (Sept. 16, 1892). A small brick building bought about two years ago was remodelled for town offices. A vault has been attached to the building, and in it are two old safes. The clerk has a small old safe in his house where current records and the records of births, marriages, and deaths are kept. All other records are in the safes, and all files of papers in the vault. The town has voted to procure a new safe. The records are all in good condition; the first five volumes of proceedings having been renovated and rebound about five years ago. In 1840 copies of all marriages to 1805, intentions of marriage to 1806, births to 1813, and deaths to 1816 were made. The births have been indexed, and the indexing of the other volumes is in progress. The intentions of marriage from 1806 to 1835 are to be copied at once. The first volume of proceedings has been copied. April 4, 1891 the town voted to have the clerk obtain all the facts wanting in relation to births incompletely recorded, and much information has been obtained upon blanks sent to parents and others. Marriage certificates and burial returns from 1883, and returns of births from 1887, have been filed, and the former for about thirty years prior to 1883 are supposed to be among the large accumulation of old papers in the vault. The valuation lists are complete from 1817.

The collectors' records from 1870 have been obtained by the clerk. The rebellion record has been written up.

MILLBURY (Sept. 15, 1892). Brick town hall containing the post-office, public library, and steam fire engine quarters. A good dry vault contains all records and papers not in the clerk's own safe at his store. In the latter he keeps all records in general use, donating most of the room to town purposes. An old safe belonging to the town, also in his store, contains some records and papers deemed unimportant. The records are in good condition. Certificates of marriage are complete since 1861, and there are some for occasional years from 1849. Burial returns are complete from 1860. The valuation lists are complete from the incorporation of the town. The collectors' records have not been returned, but those for the past ten years can be obtained. The rebellion record has been written up.

NORTHBOROUGH (July 12, 1892). Brick town hall used for town offices and meetings, public library, stores, and society meetings. There is a vault built in 1871 and a safe in the selectmen's room. This room contains the public documents and is rented to an attorney-at-law. The clerk has a town safe in his office in his house, and his records are in one or the other of the safes. The selectmen's later records are kept in the safe. Most of the files were burned in 1871 in the then clerk's store, but the records were saved. All the files since that time are in the vault. The records are all in good condition. The valuation lists from 1796 are all bound, but some have been much injured from dampness in the vault. Marriage certificates and burial returns have been preserved since 1878, and returns of births for about the same time. The collectors' records from 1857 to date have been recently recovered by the town. The rebellion record is not written up. Births, marriages, and deaths prior to 1844 have been copied. The clerk has a volume of his own containing copies from the records of the First Congregational Parish of baptisms from 1780 to 1840, admissions to the church from 1780 to 1815, and copies of marriages and deaths from 1817 to 1850, taken from the private record of Rev. Joseph Allen. To these he makes additions as he can obtain them from other sources. He has also copied inscriptions from the old cemetery.

NORTHBIDGE (July 6, 1892). Memorial building containing town offices and town hall. There is a fine vault there containing all the records of the clerk, selectmen, assessors, treasurer, etc.

The records are in excellent condition being substantially bound and plainly labelled. The selectmen's room is provided with drawers assigned to the different departments, and plainly labelled also, and all papers are most carefully and completely arranged. Some of the most valuable will be transferred to the vault. There are no assessors' records earlier than 1795, but all are bound. Marriage certificates and burial returns have been preserved since 1887 only. The collectors' records have been preserved for about six years. A copy of the records of the Congregational Church from 1782 to 1834 is in the town vault. "The Transcriber's and Indexer's Explanations," contained in a few of the first pages, are most original and useful, and well worth examination by persons intending to make copies of ancient records.

NORTH BROOKFIELD (Aug. 10, 1892). Wooden town hall with stores on the ground floor. The selectmen have a room and a small safe, but access to the hall could not be obtained. The clerk's office is in a wooden business block, where his records are kept in a safe belonging to the town. The records prior to 1862 were burned October 14 of that year, and all records since are in good condition. The valuation lists and many files are said to be in the town hall, not in a safe. Hiram Knight, Esq., the former town clerk, has charred remnants of records with many old papers, including marriage certificates and burial returns since 1852, and some collectors' records, packed up and stored in his private premises. He has made a copy as far as possible from the mutilated pages of the volume not destroyed, covering the records of town proceedings from February 1859 to March 1861; and copies of births, marriages, and deaths from 1842 to 1862 have been made from records in the office of the Secretary of the Commonwealth. Marriage certificates and burial returns since 1881 are in possession of the clerk, who went out of office in 1892. The collectors' records have not been returned to the town. The rebellion record is not written up in the volume furnished by the State, but a record has been printed by the town.

NORTH READING (Sept. 14, 1892). There is a very old safe in the town hall in which all the records are kept except the current volume of town proceedings which is in the clerk's own safe at his store; the records of births, marriages, and deaths which are at his house; and the valuation lists which are in the selectmen's room, not in a safe. Copies of valuation lists were made until 1885, and those are in the safe. The files of papers are in drawers in a case in the hall, and many are apparently complete from

the date of incorporation of the town. Marriage certificates and burial returns are among them, and appear to cover the whole period. The collectors' records have not been returned to the town. All from 1873 can be obtained. The rebellion record has been written up.

ORLEANS (Oct. 28, 1892). Wooden town hall containing a safe used for the keeping of duplicates of old valuation lists, and for collectors' and miscellaneous records. There is a town safe bought in 1891 in the clerk's store, in which all the records are kept except those in the other safe referred to. The records are all in good condition. The clerk has in his possession all the early records in existence of Eastham, including the proprietors' records from the establishment of the town of Norsett, the original name of Eastham, to the establishment of Orleans. The first volume of the records of Norsett and Eastham from 1702 has been copied. The intentions of marriage in Eastham and Orleans from 1773 to date are in one volume, and the earliest records of Orleans are contained in an Eastham volume. The valuation lists are complete with a few exceptions from the date of incorporation. Marriage certificates and burial returns have been preserved only during the term of the present clerk, since 1889. The rebellion record has been partially written up. Many of the collectors' records have been obtained by the town, including a few obtained this year under the new law.

PALMER (Oct. 6, 1892). Wooden town hall two miles and a half from the clerk's store. The selectmen and assessors have a room there with a safe filled with later valuation books. The earlier lists and books, nearly complete from 1791, are in the closet of this room, not in a safe. Those before 1846 are bound. The clerk has a town safe which is filled with the current records, and records of births, marriages, and deaths, in his store in a wooden building. The proprietors' records and some of the older town records are in the public library building, not in a vault. A copy, however, of the town proceedings to 1806 is in the clerk's safe. The record of town proceedings from 1807 to 1818 was burned. Marriage certificates and burial returns have been preserved since 1868. The collectors' records from 1869 to 1886 have been recovered.

PHILLIPSTON (Oct. 19, 1892). Wooden town hall built in 1891, containing the selectmen's room and public library. A safe, new in 1891, contains a few of the clerk's records and the valuation

lists from 1860, with copies bound from 1823 to that date. The clerk has a small town safe in his dwelling where the other records are kept. The first volume of town proceedings, and one of births, marriages, and deaths are in bad order and need repairing. Marriage certificates and burial returns have been preserved only since 1891. The births, marriages, and deaths have never been indexed, the index books furnished by the Commonwealth never having been put into the possession of the present clerk. The collectors' records have not been returned to the town. The rebellion record has been written up.

SANDWICH (Sept. 21, 1892). Wooden town hall containing the town office and public library. A large brick vault contains all the records and files of papers. The earliest volumes are in very bad order. Several of the older volumes have been copied, and many rebound. The valuation lists have been preserved since 1791, the earlier ones being in pamphlet form. Marriage certificates and burial returns have been preserved for a number of years, but dates were not accessible. The collectors' records have not been returned to the town. The rebellion record has been written up. No attention has apparently been paid to the arrangement of the records in past years and they are in confusion.

SHREWSBURY (Sept. 13, 1892). A wooden town hall used for meetings and a public library. No records are kept there. There is a small town safe in the clerk's dwelling where the current records, and all records of births, marriages, and deaths are kept, many of the latter being copies. The older records are in safe deposit vaults in Worcester. The volumes of assessors' records for the last four years are in possession of either the clerk or the assessors, not in safes, the earlier volumes being in a school building, not in safes. The assessors' lists are complete from 1794. Within three years all births, marriages, and deaths from 1717 to 1844, and all records of the lay-out of roads, a resurvey of which was made in 1804, have been copied. Many of the old volumes are in very bad order. Several of them have been copied. Certificates of marriage have been preserved since 1871, of births from 1872 and for 1867, and burial returns from 1872, and for 1867 and 1868. The collectors' records have not been returned to the town, but the clerk has made the demand under the new law for all from 1865, and will probably obtain them. The rebellion record has been written up and recently rewritten in addition.

SOUTHBOROUGH (July 12, 1892). Brick town hall containing a large safe new within three years. The clerk's records and those

of the assessors from 1860 are in this safe. A small old safe of doubtful value contains many of the early valuation lists some as ancient as 1773, some revolutionary papers, and lay-out of roads, certificates of births and marriages, and other papers not arranged. The records are in good condition with the exception of the first volume of births, marriages, and deaths, which badly needs binding. The valuation books, some in pamphlet form, covering a long period prior to 1860, are in a closet unprotected. Marriage certificates and burial returns have been preserved since 1883, embracing the term of the present clerk. There are some for various years earlier. The collectors' records have not been returned to the town. The rebellion record has not been written up, but there is a volume containing sketches of volunteers which has been written with great care. The clerk has in his possession the record of the Church of Christ in Southborough, from 1731 to 1791, which is in very bad order, and another volume in good order from 1791 to 1834. These are kept in the town safe.

SOUTHBRIDGE (June 14, 1892). Brick town hall used for a school and town offices. A large vault built about two years ago is too damp for use, and such records as are not in the clerk's office are not in safes. The clerk's office is in a brick business block where his records are kept in the town safe. Marriage certificates and burial returns have been preserved since the present clerk came into office in 1887, and there are probably earlier ones. The collectors' records have not been returned to the town. The valuation lists, bound from 1854, are in the town hall, and the earlier ones are probably in existence. It is the intention to put the records and files in the vault when it is dry.

SPENCER (July 22, 1892). Brick town hall containing the town office and masonic lodge room. There is a very large safe, new in 1874, used by the clerk and all the boards, to which eight or ten different persons have keys. All the records, with the exception of the current volume which the clerk keeps in his own safe in his office, are kept in this safe, which is too full. The first and second volumes of town proceedings are in bad condition. The valuation lists from 1800 are bound. Marriage certificates have been preserved since 1857. The collectors' records from 1860 to 1874 were burned in the collector's house. No others had been returned to the town, but the clerk had just obtained nine volumes under the new law passed in 1892. These are, however, not in a safe. The rebellion record has been written up. There is a large collection of files in drawers and book-cases in the town hall unprotected from fire.

STERLING (Oct. 7, 1892). Wooden town hall used for meetings only. The clerk has an old safe in his store so full as to make arrangement impossible. A stone public library building contains the selectmen's room, where there is a good vault. This has been used by the assessors only, the clerk not wishing to place his records out of his exclusive control. This contains the valuation lists from 1794, all prior to 1860 being unbound. The principal records are in good order, but those for the first fourteen years of the town's existence were burned. Such files of papers as were transmitted to the present clerk are boxed up in his store. Marriage certificates and burial returns have been preserved since 1878, and there may be others not transmitted by the family of the deceased clerk. The collectors' records have not been returned to the town, but a committee had been appointed before the passage of the act of 1892 to collect such as can be obtained. The rebellion record has not been written up. The intentions of marriage have not been recorded since 1860, it having been the custom to paste printed forms into books, which have served as records.

STURBRIDGE (June 14, 1892). Brick town hall containing a vault built within a few years in which the records are kept, excepting a few which are in the clerk's safe at his store, and a few of the selectmen's in one of two safes which are in the hall. One volume of town proceedings needs binding. Marriage certificates have been preserved during the term of the present clerk, from 1880. The collectors' records have not been returned to the town, although effort has been made to obtain them. I found the usual chest of old papers. The records of births, marriages, and deaths from 1738 to 1816 have been printed, and a few of those from that time to 1844 are in the public library.

SUTTON (Sept. 15, 1892). Wooden town hall containing town offices, library, and a hall for entertainments. There is a small town safe at the clerk's house where the current records are kept. All the records are in safes, the important ones being in the older safe. A few volumes are in bad condition, but most of them have been copied. The valuation lists are complete from about 1780, those from that date to 1801 being in sheets. Marriage certificates and burial returns have been preserved for three years, during the term of the present clerk, and there are others for occasional years from 1879. The clerk has recovered the collectors' records from 1851, with a few exceptions.

TEMPLETON (Oct. 19, 1892). Brick town hall used also for school purposes, and containing the selectmen's room. A safe

CORRECTION.

PAGE 32. Intentions of marriage *have* been recorded in Sterling, the printed forms referred to serving as an additional record.

there contains the valuation lists, and the oldest of the town records. Another safe contains the later valuation lists and many of the files of papers, including those of the overseers of the poor. There is a small town safe in the clerk's dwelling containing a very few volumes of his records, the others which are in his custody being on the safe or in bureau drawers. Files of papers are in book-cases at his house. One volume of proprietors' records needs binding; the other records are in good condition. All the files of ancient papers have been arranged, and an index made of all the records and papers in the files, covering the dates from 1733 to 1800, and it is to be continued to date. This contains also an alphabetical list of all abatements of taxes, and the names of enrolled militia, the list of all paupers aided, and of all town deeds, plans, etc. There is another incomplete file, of marriage certificates, from 1787 to 1835. The early unbound valuation lists have been arranged in pasteboard covers. The collectors' records have not been returned to the town. The arranging and indexing of the files is worthy of imitation.

UPTON (June 13, 1892). Wooden town hall with a brick outer wall. There is a good vault in which there is a large safe, and all the records except those of the school committee are in one or the other, all being in good condition. The clerk's records are in a compartment of the safe to which he only has access. Marriage certificates and burial returns have been preserved since about 1875, and with the other files are in the vault. The collectors' records have not been returned to the town. The rebellion record has not been written up.

UXBRIDGE (July 6, 1892). Brick town hall containing a good vault and two large safes, one used by the selectmen and the other by the assessors. The clerk's office is in a brick building used for business purposes and as a dwelling, where he has a small safe. All the records and most of the papers are kept in the vault or in one of the safes. The first and third volumes of town proceedings are in fair condition, and the second volume which is in bad order is being copied. The births, marriages, and deaths from 1727 to 1844 have been copied within three years, and are now being indexed. The assessors' records earlier than 1821 cannot be found. Marriage certificates and burial returns have been preserved for many years; some as early as 1849 were found. The collectors' records have not been returned to the town. The rebellion record has not been written up.

WARE (Oct. 6, 1892). Brick town hall where there is a fine vault. The clerk has a town safe, new in 1892, in his store in a brick business block, where the current records and records of births, marriages, and deaths are kept. The assessors have a safe containing their later valuation books, and the water board also has one. The other records and papers are kept in the vault. The oldest records have been rebound and are in good condition. The valuation books are nearly complete from 1819, and there are some for occasional years as early as 1786. Marriage certificates and burial returns have been preserved since 1866. The collectors' records have been returned so far as obtainable, and are complete from about 1855.

WARREN (Oct. 6, 1892). Brick town hall containing business offices. The clerk is treasurer and has an office there which is open in business hours. There is a small vault with a good safe inside. All the records and most of the files are in one or the other. There is a small safe also for the selectmen's current records, and the assessors have a small safe. The records are in good order with the exception of the first volume which badly needs binding. The valuation lists have been preserved since 1788. Marriage certificates and burial returns have been preserved for very many years, there being some of as early date as 1853. The collectors' records have not been returned to the town. The rebellion record has been written up.

WEST BOYLSTON (Oct. 12, 1892). No town hall. A wooden building used for a public library, school-room, and selectmen's room, contains a safe new in 1888, in which all the records are kept except those at the clerk's house. The clerk has a town safe, new in 1888, in his dwelling, where his records and the valuation books for the last eight or ten years are kept. The records are all in good condition. The files of papers in the clerk's possession are not in a safe. Marriage certificates and burial returns have been preserved from 1870, and there are some for scattering years back to 1855. The collectors' records have not been returned to the town. The rebellion record has been written up. The valuation lists are complete.

WEST BROOKFIELD (Aug. 10, 1892). Wooden town hall containing a good safe in which all the records of the clerk and assessors are kept, except the current volume of assessors' records which is temporarily in an old safe. Marriage certificates and burial returns have been preserved since 1880: these and some

files of papers are not in safes. Valuation lists are complete, and there are lists for 1803, 1820, and several for years since 1827, relating to the past of Brookfield, now West Brookfield, which was not set off until 1848. All those prior to 1860 are unbound. The collectors' records have not been returned to the town although the clerk has nine or ten volumes in his possession. The rebellion record has not been written up.

WESTMINSTER (Oct. 17, 1892). Wooden town hall containing the selectmen's room. There is a worthless safe in the basement of the hall in which such of the clerk's records as are not at his house are supposed to be kept. This also contains the assessors' records from about 1850. A small safe in the selectmen's room contains their records and those of the registrars of voters. A small town safe in the clerk's dwelling, about a mile from the hall, is full of the current records, and records of births, marriages, and deaths. All the records of town proceedings except the last volume, and the records of births, marriages, and deaths from 1844 to 1853, were at the time of my visit in Sterling in possession of a gentleman who was writing the town history. These records are said to be in good condition, and with the exception of one volume of births, marriages, and deaths which needs binding, the others are. Files of papers are in boxes and in an old book-case used by former clerks in the attic of the clerk's house. Marriage certificates and burial returns have been filed since 1890, and there are many old ones among the boxed-up papers. The collectors' records have not been returned to the town. The rebellion record has been written up. The clerk has copied, without compensation, the first volume of births, marriages, and deaths from 1741 to 1756.

WINCHENDON (Oct. 16, 1892). Brick town hall used in part for stores. The selectmen have an office there and an old safe which is full of their records. In the basement there is a safe that has been through a fire, in which all the assessors' lists it will contain are kept, the others not being in a safe. The clerk has a town safe in his own office in which he keeps all his records. The proprietors' records and a few of the older volumes have been bound; the others are in good condition, and everything is in excellent order. The clerk has procured many records which were missing and likely to be destroyed, among them being the collectors' records, so far as it is possible to obtain them, and the road plans. Marriage certificates and burial returns have been preserved since 1876, and there are some for scattering years prior to 1872. The rebellion record has not been written up.

ASSESSORS' RECORDS.

The records of the assessors, and the early valuation lists which should be classed with them, have been the most neglected of any records the statutes require to be kept, with the exception of those of the overseers of the poor.

Since 1860 the valuation books have been of uniform style furnished by the State, and those are usually preserved, though many towns have lost an occasional volume. In the greater part of the towns no provision was made for keeping these in safes until the agitation occasioned by the establishment of this commission commenced, and many towns and some of the cities have now no safe place in which to keep them. From about 1850 to 1860 a smaller form of book was furnished, and these are generally in existence, often with the later records. From about 1800 to 1850 pamphlets were used, and before that time either large sheets or books similar to a bank deposit book. Many of the lists are lost, and as a rule if those earlier than 1800 are in existence they are either in private possession or stowed away in out-of-the-way places. In examining the contents of the old chests found in very many of the towns — chests that were formerly the town safe — I have found many lists that were supposed to be lost. Considering the state of affairs existing in 1885 it is not surprising that the town clerks knew little or nothing about the assessors' records or valuation lists, and usually made no report about them for publication in the first report upon the records. As these lists have a money value in pauper settlement cases, not fully appreciated until they are wanted and not found, and a historical value by locating persons at different periods, it seems advisable to present the supplementary information which I gathered in regard to them at the time of my visits. This is arranged by counties and towns.

For towns not yet visited no information is presented, and in some visited none could be gained owing to the uncertainty of the location of the records, or inability to find any one having access to them. This condition of affairs is of course in utter violation of the law, which requires that public records shall be open at all times for inspection.

County of Barnstable.

Brewster,	For 1838, and from 1841 to 1892 inclusive.
Dennis,	From 1794.
Harwich,	Many old lists, the dates not being accessible, and all of the bound volumes.
Orleans,	Complete with few exceptions from 1797.
Sandwich,	From 1791.

County of Berkshire.

Adams,	From 1872. Older lists burned.
Dalton,	For occasional years from 1824 to 1840 inclusive, and complete since.
Great Barrington, .	Many early lists in sheets, the dates not being accessible, and all of the bound volumes.
Pittsfield,	From 1772 to 1817, and from 1831 to 1892 inclusive.
West Stockbridge, .	From 1799 to 1806 inclusive; from 1808 to 1812 inclusive; and from 1822 to 1892 inclusive.

County of Bristol.

Attleborough, . . .	Copies from 1794 and originals for later years.
Dartmouth,	From 1858 in the custody of the assessors. Twenty volumes for occasional earlier years are with the town clerk. Still earlier are believed to be in the town.
Dighton,	From 1830.
Fall River,	From 1841 to 1844 inclusive; for 1847; and from 1856 to 1892 inclusive. All others were burned.
Freetown,	For 1826; from 1831 to 1833 inclusive; and from 1835 to 1892 inclusive.
Mansfield,	From 1826.
Swansea,	For 1823; all or parts from 1831 to 1855 inclusive; and from 1856 to 1892 inclusive.
Westport,	From 1824.

County of Dukes County.

Cottage City, . . .	From 1880.
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County of Essex

Andover,	From 1680.
Beverly,	From 1754.
Boxford,	From 1711.
Bradford,	There are many old lists, the dates not being accessible, and volumes from 1796.
Hamilton,	Nearly complete from 1797.
Haverhill,	Nearly complete from 1722.
Ipswich,	For many occasional years between 1729 and 1752, and complete since.

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| Lawrence, | From 1847. |
| Lynn, | For occasional years from 1793 to 1812 inclusive ;
and from 1850 to 1892 inclusive. All others
were burned. |
| Methuen, | From 1725. |
| Middleton, . . . | From 1730. |
| Newbury, | From 1684, those to 1688 inclusive being copied in
the records of town proceedings. |
| Saugus, | From 1815. |
| Wenham, | From 1731 to 1777 inclusive, and from 1783 to 1892
inclusive. |

County of Franklin.

- Greenfield, . . . From 1775 to 1785 inclusive, and from 1820 to 1892 inclusive. There are many others in sheets but the dates were not accessible.
- Orange, From 1828.

County of Hampden.

- Holyoke, From 1850.
 Palmer, Nearly complete from 1791.
Springfield, Incomplete to 1731 ; complete from 1806.

County of Hampshire.

- Northampton, . . . From 1820.
Ware, For occasional years from 1786 to 1819, and complete since.

County of Middlesex.

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| Acton, | From 1772. |
| Ashby, | From 1790. |
| Billerica, | From 1822, excepting 1823 and 1825. |
| Boxborough, | From 1795. |
| Burlington, | There are many early lists the dates of which are inaccessible, and most of the bound volumes. |
| Cambridge, | From 1820. |
| Carlisle, | From 1755, the earliest being copied in the records of town proceedings. |
| Dunstable, | From 1800. |
| Framingham, | From 1787. |
| Groton, | For 1767, 1769, and 1773; from 1775 to 1795 inclusive; for 1797 and 1799; and from 1804 to 1892 inclusive. |
| Holliston, | From 1825. |
| Hopkinton, | From 1881. Earlier burned. |
| Lincoln, | Nearly complete from 1761. |
| Malden, | From 1795 to 1803 inclusive; and complete from 1863. |

Maynard,	From 1872.
Medford,	From 1684 to 1793 the tax lists are copied into the volumes of records of town proceedings; from that time to date they are bound separately.
Natick,	From 1773.
North Reading,	Complete either as copies or originals.
Sudbury,	From 1778.
Tewksbury,	From 1831.
Townsend,	Certainly from 1789, and possibly earlier.
Wakefield,	From 1812.
Waltham,	From 1738.
Watertown,	From 1759.
Westford,	From 1747.
Wilmington,	From 1730.
Winchester,	From 1850.
Woburn,	From 1779.

County of Nantucket.

Nantucket,	From 1840.
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County of Norfolk.

Bellingham,	From 1764 to 1767 inclusive; for 1771, 1772, 1773, 1776, 1778, and 1779; from 1781 to 1784 inclusive; for 1789 and 1790; from 1792 to 1797 inclusive; for 1800; from 1803 to 1805; and from 1808 to 1892 inclusive.
Brookline,	There are many early lists, the dates not being accessible, and volumes complete from 1841.
Canton,	For 1796; from 1799 to 1834; from 1836 to 1847; and from 1850 to 1892 inclusive.
Cohasset,	Apparently complete from 1753.
Foxborough,	Nearly complete from 1780.
Medway,	From 1831.
Milton,	From 1678, the earliest of these being copied in the volumes of town proceedings.
Norfolk,	From 1870.
Quincy,	From 1792.
Randolph,	From 1824.
Sharon,	Complete either as copies or originals.
Stoughton,	From 1727.
Wellesley,	From 1881.
Wrentham,	From 1768.

County of Plymouth.

Abington,	From 1783.
Bridgewater,	For 1763, 1764, and 1790; and nearly complete from 1796.
Brockton,	From 1821.

Carver,	There are many old lists, the dates not being accessible, and all of the bound volumes.
Duxbury,	From 1829.
East Bridgewater,	From 1823.
Hingham,	There are many old lists, the dates being inaccessible, and all of the bound volumes.
Hull,	Many old lists, the dates being inaccessible. Volumes from 1860 were the only ones found.
Kingston,	From 1760.
Middleborough,	For comparatively recent years, the ancient ones having been destroyed.
Pembroke,	The very earliest lists are known to be missing. There are some later, the dates not being accessible, and all of the bound volumes.
Plymouth,	Many old lists, the dates being inaccessible, and all of the bound volumes.
Plympton,	All from 1783, excepting 1786, 1787, 1790, 1792, 1795, 1800, 1802, and 1804.
Rochester,	Many early lists in confusion, and the volumes for late years.
West Bridgewater,	From 1822.

County of Suffolk.

Chelsea,	For 1785, and all from 1805.
Winthrop,	From 1852.

County of Worcester.

Ashburnham,	Nearly or quite complete from 1765.
Athol,	From 1789 to 1824, and from 1830 to 1892 inclusive.
Auburn,	From 1786.
Barre,	From 1800.
Berlin,	From 1794, with copies also.
Blackstone,	From 1845.
Brookfield,	Nearly complete from 1787 to 1860 inclusive, and complete since, excepting that 1861 and 1864 are missing.
Charlton,	Nearly complete from 1754.
Clinton,	From 1850.
Dudley,	From 1777.
Fitchburg,	From 1764 to 1790 inclusive, and from 1808 to 1892 inclusive, excepting 1815 to 1817.
Grafton,	From 1832.
Hardwick,	From 1737.
Harvard,	From 1786.
Holden,	From 1741, excepting for a part of 1885.
Hubbardston,	From 1794.
Leicester,	From 1794, with copies to 1881.
Lunenburg,	From 1728.

Mendon,	From 1817.
Milford,	From 1795, excepting for 1840.
New Braintree, .	For occasional years from 1773 to 1795, and nearly complete since.
Northborough, . .	From 1796.
Northbridge, . .	From 1795.
Oakham,	From 1815.
Oxford,	From 1808, and there are many earlier, the dates not being accessible.
Princeton,	From 1794.
Shrewsbury, . . .	From 1794.
Southborough, . .	Apparently complete from 1727.
Southbridge, . . .	From 1854, and earlier ones are believed to be in town.
Sterling,	From 1794.
Sutton,	From 1780.
Upton,	From 1837.
Webster,	From 1841.
Westborough, . . .	From 1811.
West Boylston, . .	From 1808.
West Brookfield, .	From 1848, excepting for 1856, 1857, and 1858. The lists for the west part of Brookfield for 1803, 1820, 1827, and several years following are here.
Worcester,	From 1791.

COLLECTORS' RECORDS.

Under chapter 370 of the Acts of 1892 demand has already been made in many towns for the return of old records of collectors, and they are being brought to light and returned. This legislation, though tardy, cannot but be of great benefit. Circulars calling attention to the act, and blank forms of demand, have been sent to all town clerks.

BIRTHS, MARRIAGES, AND DEATHS.

There can be no question as to the importance of a correct record of births, marriages, and deaths, but such records to-day are sadly defective from the failure of the persons who should do so to make returns to the recording officers, and the dependence of those officers upon canvasses of the cities and towns. These canvasses cannot but be insufficient and incorrect, and result in duplications as well as omissions. There should be no reason for the record of the same birth in Manchester and Boston, or of the same death in Dover

and in a city institution in Boston, both of which cases have occurred. How many persons know that parents must give notice to the clerk of their city or town of the births and deaths of their children; that every householder must give like notice of every birth and death in his house; or that the eldest person next of kin must give notice of the death of his kindred? Physicians, midwives, and undertakers neglect to make the returns required of them.

Realizing the insufficiency and inaccuracy of the records under existing conditions the clerks are trying different methods to improve them. In the printed town report of Hingham the town clerk places this request at the head of the records of births, marriages, and deaths for the year: "I would respectfully request all persons interested to examine the following records, and if any errors are noted, or if there be omissions, that they be reported in writing to the town clerk, that the records may be perfected." In the Chelmsford report the clerk appends this note: "Note. — Births occurring late in the year are sometimes returned without the Christian name. In all such cases parents should return the name to the town clerk as soon as selected, *as an incompleteness of the record may involve much trouble in the future.*" In Barnstable the clerk has upon his own authority written far and wide to parents of children unnamed on the records, enclosing blanks for return, and has received a large part of them. In Mendon the town took the matter in hand, as will be seen by the following form: —

MENDON, May 1, 1891.

M.....

Dear.....

It appears by the record of births in this town that there was born to.....on.....
18.....a.....male child; all the facts concerning the same are recorded except the name of said child. By vote of the town, passed April 4, 1891, the town clerk is authorized to ascertain, if possible, the name of said child and complete the record. Doubtless you will see the importance of having this done, and will at your earliest opportunity fill out the certificate attached and return the same to me.

Yours respectfully,

.....
Town Clerk.

I, _____ of the town of _____ and
state of _____ certify that to the best of my knowledge and
belief, the _____ male child born to _____ at
Mendon, Mass., on _____ 18 _____ was named _____
My relationship to said child is that of _____

(Signed) _____

Dated at _____ on _____ 18 _____

The action of Mendon is commended to the other towns.

The courts have decided that a clerk or register cannot alter or amend the records of a predecessor, but it has constantly been done. Chapter 305 of the Acts of 1892 now provides a way to correct the records, but there should be legislation to oblige persons to make proper returns so that the original record shall be correct.

RECORDS OF OVERSEERS OF THE POOR.

The somewhat lengthy treatment of this subject in the fourth report has borne some fruit, inasmuch as records have been commenced in several places upon the plan there laid down. The records as a rule are not in safes, and some of the cities even give little attention to their safety, notably, Worcester, Cambridge, and Fall River, where their loss would mean large expenditures for paupers in the future.

RECORDS IN THE REGISTRIES OF DEEDS.

I would again renew the suggestion that the accumulation of volumes in the registries of deeds, which is becoming a serious matter, be checked by dispensing with verbiage in deeds.

A room in the new court house at Fall River has been fitted for the new registry at that place, and is absolutely fire-proof, being fitted throughout in metal. It is, in my opinion, the only registry in the State which meets the requirement of the statutes in regard to fire-proof qualities.

PROBATE RECORDS.

The passage of the bill recommended in the fourth report for the security of the files and papers in the offices of probate is again urged.

REVOLUTIONARY RECORDS.

In 1891 the Legislature authorized the expenditure of a sum not exceeding fifteen thousand five hundred dollars for preparing and publishing an indexed compilation of the records of Massachusetts soldiers and sailors who served in the Revolutionary war, as shown in the archives in the office of the secretary. In examining the files in many of the oldest towns occasional packages of Revolutionary papers have been found which are likely to be destroyed if some one having an interest in them does not rescue them from their unprotected situations. It would seem advisable to have these papers inspected and if such as are valuable cannot be placed in the archives, to have them copied.

TOWN CLERKS.

The condition of the records cannot be very materially improved until some of the recommendations in the introductory part of the report affecting the town clerks, and their so-called offices, are adopted. The subject has been treated at length in the third and fourth reports, and the facts and arguments there stated need not be repeated. Suffice it to say that persons of sufficient intelligence to learn and perform the duties cannot be found willing to assume them under existing conditions, if they are to be required to perform all of them.

The following duties were required of the town clerks by the Legislature of 1892. The duties required by the provisions marked with an asterisk (*) are contingent upon the application of the act to the town.

He shall record : —

The certificate of the moderator, of the result of a recount of ballots cast on the question of liquor licenses. [1892, c. 224.]

In a book kept for the purpose, the facts contained in the deposition filed to supply deficiencies or correct errors in records of births, marriages, and deaths. [1892, c. 305, § 1.]

He shall file : —

The statement of ten or more qualified voters that they have reason to believe that there is an error in the declared result of the vote on licensing the sale of liquor. [1892, c. 224.]

The statement of the amount of the debt due to a person who has performed work for a contractor on public work in the town. [1892, c. 270, § 3.]

Depositions to supply deficiencies or correct errors in records of births, marriages, and deaths. [1892, c. 305, § 1.]

* In towns not divided into voting precincts, the petition of ten or more voters in or near a village distant at least two miles from a place of registration, stating that there are at least ten citizens who desire to be registered. [1892, c. 351, § 19.]

The statement required to be filed by the treasurer of a political committee, or any person expending money in elections. [1892, c. 416, § 12.]

He shall receive or obtain :—

* In a town which has voted to apply for a city government, a copy of the provisions of the articles of agreement furnished by the Secretary of the Commonwealth. [1892, c. 377, § 2.]

He shall return or transmit :—

To the moderator of the meeting, the statement filed by ten or more legal voters that they have reason to believe that there is an error in the declared result of the vote on liquor licenses. [1892, c. 224.]

* Whenever any town shall vote upon the acceptance of the provisions of the act to establish a plant for manufacturing and distributing gas and electricity, forward forthwith to the board of gas and electric light commissioners a certified abstract of so much of the records as pertains to the acceptance or refusal to accept. [1892, c. 259, § 1.]

* Whenever any town passes votes concerning in any way the establishing or purchasing of a plant for gas or electric lighting, or to reconstructing, extending, or enlarging the same, or issuing bonds, or concerning the management or conduct thereof ; or whenever a town passes any by-law concerning such plant, forward, within ten days, to the board of gas and electric light commissioners a certified copy of every vote and by-law. [1892, c. 259, § 2.]

Within one week after the appointment of a chief of police, to the commissioners of prisons, the name of the person appointed, and if there is no chief of police in the town, on the first day of October annually, the names of all police officers and constables in the town. [1892, c. 290, §§ 1, 2.]

To the Secretary of the Commonwealth, one copy of the duplicate

statement required to be filed by the treasurer of a political committee, or any person expending money in elections. [1892, c. 416, § 12.]

He shall perform miscellaneous duties as follows:—

* Forthwith after an election, together with the selectmen, examine the returns made by the election officers of each precinct, and if any error appears therein shall forthwith notify said officers thereof, and shall receive the corrected returns before the expiration of the day preceding that on which by law they make returns; and shall examine all original and additional returns. [1892, c. 190.]

Demand of any person whom he knows to have any records or papers relating to the collection of taxes in his town which should be in his possession, such records and papers. [1892, c. 370, § 6.]

Notify any person filing a statement of expenditures, etc., in an election of the non-conformity of the statement to the statute. [1892, c. 416, § 15.]

Give a receipt for any statement filed by the treasurer of a political committee, or by any person expending money in an election. [1892, c. 416, § 19.]

He shall be subject to the following penalties:—

To a fine of fifty dollars for refusing or neglecting to notify the commissioners of prisons of the names of chiefs of police, or constables and police officers in his town. [1892, c. 290, § 3.]

To a fine not exceeding twenty-five dollars for failure or neglect to comply with the requirements of chapter 259 of the Acts of 1891 relating to returns to gas and electric light commissioners. [1892, c. 259, § 4.]

To a fine not exceeding three hundred dollars, or to imprisonment in the house of correction not exceeding six months for wilfully neglecting or refusing to perform any duty relating to registration of voters. [1892, c. 351, § 43.]

FIRE-PROOF ROOMS.

Section 3 of chapter 37 of the Public Statutes requires that county commissioners shall provide and maintain “fire-proof rooms with suitable cases and boxes for the safe keeping of all records, files, papers, and documents belonging to the several registries of deeds, and a suitable place for the safe keeping and preservation of the other public records and valuable documents belonging to the county.”

Although this first became law in 1812 not until this year has a fire-proof room been provided, for while walls for such rooms have been constructed, the interior fittings of wood, the single wooden doors, and unprotected windows, have taken away the fire-proof qualities. The new registry of deeds in Fall River, thanks to the county commissioners, is fire-proof, being fitted throughout with metal furniture and shelving, the doors and shutters being cased in rolled steel. The new court house in Taunton is to be similarly fitted wherever records are to be kept.

By section 42 of chapter 156 of the Public Statutes the same provision was to be made for registries of probate as for registries of deeds. On the 19th of June, 1891, an electric light wire ignited wood-work in the registry of probate in Boston, but being in office hours the fire was soon extinguished. It occasioned a temporary excitement in the community and interviews with prominent persons were published, several expressing their satisfaction that the new court house was soon to contain the records, and that they would there be safe.

Finding that no fire-proof rooms were being provided for the registry of deeds or probate, or other record offices in the new court house in Boston, and that the act authorizing the construction did not require what was required of county commissioners, but gave the commissioners power to erect "a suitable court house," I addressed a communication to the board of court house commissioners on the 29th of June, 1891, referring to the fire in the Suffolk probate office, and calling their attention to the section above quoted, and saying "there would seem to be no reason why there should not be as great security in the Suffolk court house as in any buildings erected under the supervision of county commissioners." No reply to this communication was received and the work of fitting the rooms in wood has continued. Metal shelving has been placed around the room to be occupied by the registry of deeds, and is to be placed in the vaults in the registry of probate, and in some of the rooms to be occupied by the clerk of the supreme judicial court. I cannot learn that any further fire-proof material is to be furnished. The rooms are finished in wood and

no shutters are provided to protect them from fire outside. Rooms in the basement are packed as full as possible of papers in wooden cases. On the 14th of November last I addressed another communication to the board stating that it was my duty "to take such action as may be necessary to put the public records of the counties * * * of the Commonwealth in the custody and condition contemplated by the various laws relating to such records, and to secure their preservation," and that in the line of that duty I must enter an earnest protest against the further introduction of wooden fittings into any rooms in the new court house which were to be used for the deposit of books of record or papers and documents. I have no further authority in the matter, and would recommend that the Legislature take some action which will make the records of Suffolk County as safe as they might be if the law applying to other county record offices applied to Suffolk.

While the above was in the hands of the printers, December 20, a fire occurred, fortunately about mid-day, in a room in the new court house to be occupied by the clerk of the supreme judicial court which badly damaged the wood-work and thoroughly smoked the room before it was extinguished by the fire department. A no more extensive fire than this would have resulted in serious damage to records and papers, as the damage by water would be nearly, if not quite, as great as by fire. In fact at the time of the fire in the probate office above referred to, Capt. J. S. Damrell, inspector of public buildings, and ex-chief of the Boston fire department, stated in an interview that the loss by water in such a place would be eighty per cent., and that if he were chief engineer he would hesitate to put a stream of water into a building containing such valuable papers until every other possible means was exhausted. This fire is proof of the danger to which the records in these rooms are, or are to be, exposed.

COPYING.

Some copying is being done in the cities and towns, but the requirement that all worn and mutilated records shall be copied is not complied with. This, as has been stated, is largely because persons competent to copy are not easily

found, and there is a doubt as to the right of a clerk to allow the records to be carried away for copying. Some provision should be made for this.

Many towns are allowing their old records to go to decay satisfied that they have good and sufficient copies, when the copies not having been certified to by any one—if, in fact, any one has authority to certify to them—they are not copies in law. The town of Mendon awoke to the importance of this matter in 1870, and a committee reported that it seemed important their copies made many years before should be authenticated. The Legislature thereupon passed a resolve by which these copies became legal. Some provision should be made by which worthless copies can be proclaimed as such and correct ones legalized.

PRINTING.

Several of the towns are now adding to the annual printed town report the record of town meetings held during the year. This adds comparatively little to the expense of the report, and by binding together the parts containing the records for periods of five or ten years, the town establishes a series of volumes of printed records available in case of the loss of the originals. This practice is commended to all the towns.

By the printing of the volumes of Brookline records mentioned later, and the custom of printing annually, the town has all its town records in print.

The following can now be added to the list presented in the report of 1891 of printed records of cities and towns which are in the Massachusetts State Library:—

BOSTON. Twenty-second report of the Record Commissioners, containing the Statistics of the United States' Direct Tax of 1798, as assessed on Boston; and the Names of the Inhabitants of Boston in 1790, as collected for the First National Census, 1890.

BROOKLINE. Brookline Town Records, 1838-1857; same, 1858-1871. 1892.

GROTON. The Early Records of Groton, 1662-1707. Edited by Samuel A. Green, M.D. 1880.

MANCHESTER. Town Records of Manchester from 1718 to 1769, as contained in the "Commoners Records" and the "Fourth Book of Town Records" from 1736 to 1786. Salem, 1891.

PLYMOUTH. Records of the town of Plymouth. Published by order of the Town, Vol. II., 1706-1743, Plymouth, 1892.

WOBURN. Woburn Records of Births, Deaths, and Marriages from 1640 to 1873. Part 3. Marriages. Alphabetically and Chronologically arranged by Edward F. Johnson, Woburn, 1891.

WORCESTER. Worcester Town Records, 1795-1816. Edited by Franklin P. Rice, Worcester, 1891, 1892. Nos. 30 to 34 Worcester Society of Antiquity collections.

Dedham has in press volume three of the printed records of the town, and Watertown and Weston have commenced the printing of their early records.

RECORD INKS.

The recommendation that the State establish a standard for record ink meets with favor among the recording officers, and I would renew it. It is impossible for them to know the qualities of an ink, and records are constantly exhibited which are gradually fading out. As will be seen in the detailed report the clerk in Leominster has been obliged to trace records made in 1850 or later, and in Ashburnham seventy-five pages *made in 1888* have had to be traced. The constant inquiries for the name of a good record ink attest to the interest which the treatment of the subject in the third report awakened, and any attempt made to improve the records in this all-important particular should receive the encouragement of the Legislature.

ROBERT T. SWAN,

Commissioner.

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Compliments of

Robert J. Swan

Commissioner
of Public Records.

SIXTH REPORT

ON THE

CUSTODY AND CONDITION OF THE PUBLIC RECORDS

OF

PARISHES, TOWNS, AND COUNTIES.

BY

ROBERT T. SWAN,
COMMISSIONER.

BOSTON:
WRIGHT & POTTER PRINTING CO., STATE PRINTERS.
18 POST OFFICE SQUARE.
1894.

Ch. C. Johnson

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Journal compilation © 2006 Blackwell Publishing Ltd

To the Honorable Senate and House of Representatives.

I have the honor to submit the second report of this commission, being the sixth in the series of reports on public records.

It is the duty of the commissioners to report to the Legislature such recommendations and suggestions as may seem important for the safety and benefit of the records, and such have been presented in previous reports. As the report submitted in 1893 was, upon the recommendation of the Committee of the Judiciary, referred to this General Court, it will be unnecessary to repeat the recommendations made therein. The reports have in previous years been referred to the Committee on the Judiciary, always an overburdened committee, with the result that sufficient time could not be given to hear the persons most interested in them and best informed as to the legislation required, or for the consideration of the general revision of the laws relating to the public records, which is imperatively necessary. It is, therefore, respectfully suggested that a joint special committee be appointed to consider the matter of the care and custody of the records and such kindred subjects as would properly be within its province.

Few persons unfamiliar with the records have an idea of the lack of uniformity in them. The statutes are indefinite in regard to the matter to be recorded, and especially as to who shall record it, and it is largely a matter of judgment among recording officers what they record and where they

record it. There have been some decisions upon this point which it would be well to incorporate in the laws.

The town clerk is required to record many things "in a book kept for the purpose," and others "on the records of the town," there being no more reason why the latter should not be in separate books than that the former should be. Boards of health are not required to keep records, except a record of reports of contagious diseases; yet their regulations, the record of land taken by them, and of places where offensive trades may be carried on "*shall be entered on the records of the town.*" The town clerk has no official knowledge of their matters and cannot enter them on any records, and the board cannot enter them on his. The selectmen are not required to keep records of their proceedings and as a rule do not, but if there is no board of health they act as such and must carry out the above requirements. In addition, they must record, "in a book kept for the purpose," every license issued to an auctioneer, and "their specifications and decisions as to where and what posts may be erected and wires run for telegraph lines" must be recorded in the records of the town. Here again the clerk, unless he is clerk of the board, which is very unusual, knows nothing of the matter and cannot record it in his records, nor can they.

The statutes are full of provisions that notices shall be given by or to the selectmen. If given by, no record is made, and if given to, they are not recorded or filed with the files of which the clerk is by law the custodian. Many public and private rights depend upon the serving and preserving of these notices.

In some cases it is specified that the clerk shall record and certify matters of which he has no knowledge; for instance, the selectmen appoint the keeper of the lockup and the clerk must record the appointment. He must send to the board of prison commissioners the name of the chief of police, and is under penalty if he neglects it, although he has no official knowledge of the appointment, and it is a question, moreover, whether such an officer exists under the statutes.

The record made by a city or town clerk of a birth, marriage or death is by statute *prima facie* evidence of the fact,

but in every city and in every town, so large that the clerk does not know the facts from general knowledge in the community, a very considerable part of the records of births would not agree with the names or dates which would be given in court by adults or the parents of children, *and there is no legal way for the clerk to correct the record unless it is an error of his own making.*

Some clerks record as the father of an illegitimate child the person named by the mother, and such a record has been used in court; others have awaited the decision of the court in bastardy proceedings before inserting the name of a father, while as a rule either "unknown" is entered or a blank space is left to puzzle searchers of the records hereafter. Still-born children are entered as born in some records, died in some, and in some as both born and died.

Bonds of certain town officers are to be filed "with the town." The clerk is custodian of the files, and consequently is custodian of his bond for dog-license money, and if also treasurer or collector, of his bond as such. In one town a defaulting clerk and collector destroyed his bond.

These and many other similar matters might well be considered by a committee considering the subject of the records in general.

Many shortcomings in the records are brought to my attention and complaints are made, sometimes by county or town officials, that the statute requirements are not complied with; but, as stated in the third report, it is assumed that the province of the commissioner is to see that the records are safely and properly preserved, not that the recording officers do the recording properly. If, as some officials think, it was the intention of the Legislature to put this duty upon the commissioner, it should be more expressly stated.

While much of this and previous reports is devoted to setting forth the defects in the system and customs prevailing in regard to the records, the fact should not be overlooked that there is a decided improvement in the care of them. There are few of the cities and towns where something has not been done toward improvement, even if it was no more than to recover a single missing volume or to put one in a temporary place of safety, while some, from hav-

ing made no pretence of complying with the law, have made records absolutely safe from fire. The value of the records has been impressed upon those responsible for them, and recommendations in regard to record ink, binding, copying, printing, drying vaults, etc., have been adopted by many having the care of them.

Two improvements are especially noted. Lowell, which in 1890 had no suitable place for the records of the various departments, is now the best equipped of any city, all the departments having plenty of vault room, and many of the vaults being fitted in metal. The records and "history blanks" of the overseers of the poor, which are of great pecuniary value to the cities, but are usually exposed to the danger of fire, are here provided for in a large vault, and the city engineer has a vault 16 feet square in which all water, sewer, street, and assessors' plans are kept, together with records of the committees on these departments.

Rowley, in 1890, had a part of its records in a small safe in the clerk's dwelling, and others at the town hall, not in a safe. A building has been erected containing a room for the selectmen and a smaller for the clerk, with a vault 8 by 10 feet, which is dry and light, and disproves the assertion that vaults cannot be made dry. The Lowell city hall is respectfully called to the attention of city governments, and the Rowley vault to selectmen.

In the fourth report it was stated that Massachusetts had been the first State to move in the matter of the preservation of the records, and was "already looked to by leading men in other States as an example." In January, 1892, the General Assembly of Rhode Island gave "the sanction of the State and a measure of aid" to the Rhode Island Historical Society in an attempt to preserve the records of the towns, and inquiry was commenced among the towns upon substantially the same plan pursued in this State, regarding the records in their possession, their condition and safety. The result was the publication by the society of a report of about eighty pages, prepared by Hon. Amos Perry, giving the report made by the several town clerks, together with much valuable information which cannot fail to encourage further action in that State.

GENERAL INFORMATION ON RECORDS.

The following additional information in regard to missing records and facts recorded has been gathered during the year, some being corrective of the facts reported in 1885:—

County of Barnstable.

PROVINCETOWN. There are records of births as early as 1696. The record of marriages from 1798 to 1807 is missing, but intentions were recorded. All births to 1866, marriages to 1854, and deaths to 1861 have been copied.

WELLFLEET. The records from 1723 to 1763, the date of the establishment of the district of Wellfleet, are for the Precinct of Billingsgate or North Precinct. The records of births, marriages, and deaths did not begin until 1763.

County of Berkshire.

ALFORD. The record of births, marriages, and deaths begins in 1765, nine years before the establishment of the district.

HANCOCK. The record of births, marriages, and deaths is not complete from 1776, as reported. There are a very few records of these from 1765 to 1832, more between 1832 and 1843, and they are complete from 1843.

LEE. There is a copy of the records of the proprietors of Hartwood from 1763 to 1777.

LENOX. The record of town proceedings is complete from 1767. The record of births, marriages, and deaths from 1823 to 1843 is missing.

MOUNT WASHINGTON. There are no records of births, marriages, and deaths prior to 1860 except of a few marriages from 1838 to 1843.

RICHMOND. Most of the records were burned in 1776. There are a few births earlier than that date recorded by families in the volume of proprietors' records, evidently taken from private sources. There are a few births and marriages as early as 1765 in the volume of proceedings which begins in 1776.

SHEFFIELD. There are records of births, marriages, and deaths in various volumes of miscellaneous records, grouped as follows: 1725 to 1782, 1774 to 1790, 1778 to 1791, and 1798 to 1846.

County of Dukes County.

TISBURY. The records of births, marriages, and deaths begin in 1666. The first volume has been copied.

County of Essex.

ROWLEY. A copy has been made of baptisms, marriages, and deaths in the church records of the First and Second Parishes in the town of Rowley, and of Byfield and Linebrook Parishes, covering years from 1665 to 1838. A fine index makes these most useful.

County of Franklin.

DEERFIELD. The records of the proprietors of Pocumtuck begin in 1670, not 1699, as reported, and are in possession of the town clerk.

LEYDEN. The records of the proprietors of Falltown Gore from 1765 to 1787, and the records of the district of Leyden from 1784 to 1808, precede the records of the town.

NORTHFIELD. The volume of town proceedings covering the years from 1723 to 1766 is not now missing.

SUNDERLAND. The first records, beginning in 1714, refer to the location of "the place" in 1673 and to the absence of records.

WARWICK. The plantation called Roxbury Canada was established as Warwick. The proprietors' records call it "Gardner's Township, east of Northfield," and contain a list of the petitioners of Roxbury and Brookline.

WHATELY. The records of births, marriages, and deaths prior to 1848 are missing.

County of Hampden.

AGAWAM. The town has a volume containing the records of the Sixth Precinct of Springfield from Feb. 2, 1758, to Dec. 2, 1763; the Fifth Precinct in Springfield from March 25, 1764, to Nov. 3, 1773; and of the Second Precinct in West Springfield from March 24, 1774, to Sept. 10, 1836.

BRIMFIELD. The record of marriages from 1843 to 1855 is missing.

CHESTER. The proprietors' records have been recovered from private possession. The proprietors' are called "Proprietors of a township of land sold by the Province in June last" (1762) "to John Chandler" (and others named), "called No. 9, *alias* Murray Field."

GRANVILLE. The field-book of Capt. Nathaniel Dwight, "Surveyor of the Several Alotments in Bedford, so called," afterward Granville, made in 1731, is in private possession in Belchertown.

LONGMEADOW. The town has a record which may be of great value to genealogists, bearing this title: "Records of families principally such as belonged to Longmeadow or were somewhere

connected with those families; containing dates of the times of marriage, births, and deaths, and some account of what became of the children of the families so far as these several things are known." This information is taken from public records in various places, principally Springfield.

PALMER. The proprietors' records have been returned to the town clerk.

WALES. Records of all kinds were reported in 1885 as beginning in 1790. Inspection shows this to be incorrect. One volume contains records of district and town meetings from 1762, the date of the establishment of the district of South Brimfield, to 1785; one has parish meetings from 1766 to 1783, and in the reverse district and town meetings from 1766 to 1790. There is a copy only of births and deaths from 1762 to 1823, some original entries to 1843 being in the same volume. There is no record of marriages prior to 1844 or of intentions prior to 1840.

WESTFIELD. The proprietors' records contain the records of town meetings held in Springfield as early as 1666. An ancient copy of the records of births, marriages, and deaths contains the earliest, beginning about 1669, continued with original entries.

WILBRAHAM. The first volume of proceedings begins with the record of inhabitants of the Third Division of the Outward Commons of Springfield, March 12, 1741, continued as of the Fourth Precinct in Springfield to March 21, 1763, three months before the establishment of Wilbraham.

County of Hampshire.

EASTHAMPTON. There is no record of births from 1813 to 1844, and none of deaths until 1844. The record of marriages is complete.

GRANEY. The record of births, marriages, and deaths begins in 1768. The first volume of proprietors' records begins March 14, 1720, and ends April 7, 1769, the second volume, from which eight pages are missing, beginning Feb. 15, 1770.

GREENWICH. The proprietors' records begin in 1733, under the following title: "Book of Records of the tract of land granted to part of the Narragansett Soldiers as per a list of their names herein entered, and is called No. 4 on the west side of Merrimack River at Amoskeage." Another volume begins June 29, 1749, with a record of the "Place called Quabin for that part of the Narragansett township No. 4 lying at said Quabin," and continues as a parish record until Dec. 17, 1753, the town record beginning Feb. 17, 1755. The regular volume of town proceedings

begins in 1754, and contains such births, marriages, and deaths as were recorded at that time.

HATFIELD. One volume of proprietors' records is of "Dennison's and Bradstreets's farms," the other being of the "Commoners Outside Lands," including Hunstown, afterward Ashfield, and lands between, which might include parts of Conway, Goshen, Whately, and Williamsburg. There is a volume containing births, marriages, and deaths in Hadley, Hatfield, and Northampton, which is evidently one of the early volumes of records of the Hampshire County courts.

SOUTHAMPTON. There is a volume of the records of the "Proprietors of the Common and Undivided land within the township of Northampton" from Jan. 10, 1730, to May 8, 1780. Another volume contains the record of the "Second Precinct of Northampton" from Sept. 21, 1741, to the establishment of the district of Southampton, in 1753.

SOUTH HADLEY. A pamphlet contains the records of the "South Precinct of Hadley" from March 12, 1733, to Jan. 8, 1753. A volume contains the records of the "First Parish of South Hadley" from June 4, 1762, to March 14, 1768. A note following the last entry says, as the Second Parish was set off and the first made a district, there was no need of a parish record, and the volume was sold to "the Proprietors." Their record, without a title, begins Jan. 25, 1720, and ends in 1817. A second volume of their records begins April 14, 1800, and ends Dec. 29, 1835.

County of Middlesex.

MARLBOROUGH. A number of loose leaves containing the only list known to exist of the proprietors of the west part of Marlborough, called Chauncey, afterward established as Westborough, and giving a description of many of the original lay outs of proprietors' lots, with a map of the whole tract, have been recovered, bound, and sent to the city clerk of Marlborough.

County of Plymouth.

MIDDLEBOROUGH. Four volumes of original proprietors' records have been recovered. These are the records of the "Little lot men's purchase," "Twelve men's purchase," "Sixteen shilling purchase," and "Five men's purchase." They contain also records of town meetings, and births, marriages, and deaths.

WAREHAM. The records of the "Proprietors of the Agawam Precinct in Wareham" have been copied at the registry of deeds at Plymouth. These have always been in private possession and are allowed to remain there for safety.

County of Worcester.

ASHBURNHAM. The records are complete from the establishment of the town in 1765.

PETERSHAM. The record of deaths prior to 1826 was probably burned. The proprietors' records, beginning in 1733, are in possession of the town clerk.

TOWN RECORDS.

The condition of affairs pertaining to the records in the towns visited for the first time is herewith presented, with the date of visit.

AGAWAM (June 30, 1893). Two brick town halls, one at Agawam and one at Feeding Hills. The selectmen have an office in the latter, and a large safe to be placed there was expected to arrive July 5. The clerk has a safe of his own in his dwelling at Feeding Hills, in which he keeps what records it will contain. The records are all in good condition. The valuation lists for 1878 and 1879 are missing. The marriage certificates and burial returns have been preserved since 1888, during the present clerk's term of office. The collectors' records have not been returned to the town, although a few have recently been procured. The rebellion record has been written up.

ALFORD (Oct. 13, 1893). Wooden town hall. There is a small old safe of doubtful value used for minor records, in a small room there. The recent valuation lists are kept in a room on the second floor, used as the assessors' office, those from 1824 nearly complete to 1860 being in an old chest. The clerk has most of the records in a closet at his house, in unusually good condition, with the exception of an old volume which it would be well to bind. The marriage certificates and burial returns have been preserved since 1877. The collectors' records have not been returned to the town, but some have been collected under the new law. The rebellion record has been written up.

BECKET (July 20, 1893). Wooden town hall at Becket Centre, used only as such. There is a wooden building at Becket Station used for a corporation library, where the selectmen have an office, but no safe. The valuation lists and the papers not in the clerk's possession are kept here. The clerk has a small town safe in his store near, where he keeps his records. The valuation lists are in bound volumes from 1828, and there are older ones in pamphlets

in a chest in the selectmen's room, containing also miscellaneous papers recently brought to the office from the home of one of the selectmen. The marriage certificates and burial returns have been preserved since, 1888, during the term of the present clerk, and there are some scattering ones earlier. The town has for some years required the collectors to return their records. No volume of the rebellion record can be found.

BERNARDSTON (Sept. 12, 1893). Wooden town hall, containing the selectmen's office. In the Cushman Library building there is a small vault, so narrow as to be almost inaccessible, where all the records are kept except a few which the clerk is obliged to keep at his house, for which no safe is provided. The records are in good condition with the exception of the first volume of births, marriages, and deaths, which needs binding. The valuation lists are nearly complete, the earlier ones being in pamphlets. The clerk is also treasurer. The marriage certificates and burial returns have all been preserved since 1887, and there are some earlier ones. The collectors' records have not been returned, but those for the last ten years have been obtained. The rebellion record is written up.

BLANDFORD (July 17, 1893). No town hall. The town office is in a building used in part for a school-house. There is a large safe there, new in 1890, used by the selectmen and assessors, and by the clerk for such records as he has not room for in the small town safe at his dwelling, where his records are kept. The records are in good condition with the exception of the first and second volumes, which need binding. The valuation lists are nearly complete from 1819, the earlier ones being in pamphlets, and there is a copy from 1816 to 1824, inclusive. The marriage certificates and burial returns have been preserved for about fifteen years. The collectors' records have not been returned to the town. The rebellion record has been written up. The records of many births, marriages, and deaths have faded so badly that it has been necessary to trace them.

BRIMFIELD (May 26, 1893). Wooden town hall, containing a very large safe and a smaller one. The clerk has a small safe of his own in his dwelling, where a few of the current records are kept. All the other records of the town which have come into the clerk's custody are kept in one or the other of the safes in the hall. The present clerk has procured all records obtainable and everything is kept in a most systematic manner. All the old files have been or are being arranged; there are, however, very many

papers and possibly some records at the dwelling of a former clerk, arrangements for procuring which have now been made. Valuation lists from 1783 are bound, and earlier ones may be found among the papers referred to. The marriage certificates and burial returns, bearing date as early as 1867, were found there. All the ancient records which were worn have been rebound, and all are in excellent condition. The collectors' records have not been returned to the town.

CHESHIRE (Oct. 11, 1893). Wooden town hall, used for meetings only. A small wooden building contains the town office, and there is a large safe there, new in 1890, and a very small one which has been through a fire; the latter, however, would probably protect its contents in this building. The records are in one safe or the other. The valuation lists for 1814, 1817, 1819, and from 1821 to 1893 were in the safe. The marriage certificates and burial returns have been preserved since 1872. The collectors' records have not been returned, but quite a number have been recovered under the new law. The rebellion record has been written up.

CHESTER (July 19, 1893). Wooden town hall. A brick building standing alone, built in 1890 for a town office and lockup, contains a very large vault in which all the records and papers of the town are kept. There is a small safe in the vault, used by the selectmen. The valuation lists to 1824 were all copied in the record of town proceedings, and there are lists for 1830 and 1831, and from 1841 to 1893, in the vault. Marriage certificates and burial returns have been preserved during the present clerk's term, from 1875. The collectors' records have not been returned to the town. The rebellion record has not been written up. The proprietors' records, which were bought some years ago by a citizen of the town, have been recovered; they are now in good condition, and in addition to the plots contained in the records there is a large plan on parchment of the whole grant to the proprietors.

CHILMARK (Sept. 1, 1893). Wooden town hall, used for meetings only. There is a worthless safe in a vacant house of the clerk's, near his dwelling, in which all the records are kept with the exception of the valuation lists, which are at the town hall, not in a safe. The records are in good condition. The marriage certificates and burial returns have been preserved only since 1890. The collectors' records have not been returned to the town, but the clerk has obtained some under the new law. There is no volume for the rebellion record.

CLARKSBURG (Oct. 10, 1893). The clerk, who is also treasurer and collector, has a safe of his own and two old ones belonging to the town in his store, in a wooden building at Briggsville. These are wholly inadequate for the records, the town safes being undoubtedly worthless. The earliest volume of town proceedings is called the third book and begins in 1855, two volumes, covering the years from 1798 to that time, being missing. A large bookcase in the store contained valuation lists from 1801 to 1814. A copy of the lists from 1836 to 1860 in one volume was in a safe, the later valuation lists being elsewhere in the store and in possession of the chairman of the assessors. There were many files of papers in drawers in the bookcase. The marriage certificates and burial returns have been preserved for a number of years. The collectors' records have not been returned, but most of those from 1881 have been secured under the law. No volume of the rebellion record was found.

DANA (July 18, 1893). Wooden town hall at Dana Centre, in which a vault is being constructed that will soon be ready for occupancy. The clerk has an old safe belonging to the town in his store in a hotel building at North Dana. All of his records and valuation lists from 1801 to 1863, with the exception of 1808, which is missing, are in the safe. Later valuation lists and files of papers are not in the safe. The marriage certificates and burial returns have been preserved since about 1870. The rebellion record has been written up. The collectors' records have all been recovered by the clerk.

DEERFIELD (Sept. 13, 1893). Wooden town hall, used for school purposes also, in which the selectmen have a room. There are two old safes there of doubtful value, one used by the clerk and containing all his records, except the current volume of proceedings and record of mortgages. The lock on the other safe is out of repair, and the safe has not been opened for at least six years, none of the present town officers knowing its contents. The first and second volumes are in a very dilapidated condition and should be bound, and the second should be copied. The valuation lists, nearly complete from 1848, are at the town hall, not in a safe, and the earlier ones are in a dwelling, not in a safe. The burial returns have been preserved for a few years, but the marriage certificates have not. The rebellion record has been written up. The collectors' records have not been returned to the town.

EASTHAM (Sept. 5, 1893.) Wooden town hall, used for meetings only. A vault has been completed for a long time, but has

not been properly dried out for use. The clerk has a very small town safe in his dwelling for his use as clerk and treasurer, but it is capable of holding but a small part of his records. All the others, including the valuation lists, complete from 1797, and files of papers, are stored in various parts of his house. The records are in good condition with the exception of twenty-five loose leaves, called the second book, which are laid in paper covers. The original records of the town were retained in Orleans when that part of the town was set off, but there is an ancient copy in Eastham. The original volume of town records begins in 1797. The collectors' records have not been returned to the town, and there is no volume of the rebellion record.

EASTHAMPTON (Sept. 15, 1893). Brick town hall, used for town purposes, in which all the boards have offices. There is a large safe there, of doubtful value in so large a building, used by the clerk for such records as are not in his store, and by the assessors for the later valuation lists. The clerk has a town safe in his store, new in 1893, where the current records are kept. The records are in good condition with the exception of the first volume, which needs binding. The valuation lists for scattering years between 1794 and 1827 are in sheets, and were found in closets with unimportant papers. Later lists, in pamphlets, were in racks in the hall, not in a safe. The marriage certificates and burial returns have been preserved since 1887. The collectors' records have not been returned to the town, but a few have been collected under the new law. The rebellion record has been written up.

EGREMONT (Oct. 13, 1893). Wooden town hall, containing the selectmen's room. There is a small safe, probably worthless in this building, crowded so full as to injure the records. They are in good condition with the exception of a volume of the proprietors' records, which is very dilapidated. There is a copy of this, however, at the registry of deeds at Great Barrington. Two small boxes of miscellaneous papers contain valuation lists for scattering years from 1825 to 1840; from that date they are complete, but are in cases and lying about the room in the town hall. Some volumes of miscellaneous records were not in the safe. The marriage certificates and burial returns have all been preserved from 1866 to 1878 and from 1887 to date. The collectors' records have not been returned, but many have been recovered under the new law. The rebellion record has been written up.

ENFIELD (July 18, 1893). Brick town hall, used also for a school-house and for the public library. The selectmen have an office there, with an enormous safe, in which all the records and nearly all the papers of the town are kept. The clerk has a small town safe in his dwelling, where the current records are kept. The valuation lists are complete and are all bound. The marriage certificates and burial returns have been preserved since 1889. The collectors' records have not been returned to the town. The rebellion record has been written up.

ERVING (May 23, 1893). Wooden town hall, used only for meetings. The selectmen have their room in an engine-house, where there is a very small safe containing very few records. The clerk has a small safe at his house, but insufficient for his needs. The later valuation lists are kept in the safe at the engine-house; there are no very early ones and no files of ancient papers, the supposition being that they were burned. The marriage certificates and burial returns have not been preserved. The rebellion record has been written up.

FLORIDA (Oct. 10, 1893). Wooden town hall at Hoosac Tunnel, used also as a school-house. There is a large safe, new in 1890, in which all the records are kept except the current ones, which are at the clerk's house, three miles away, not in a safe. There are no valuation lists earlier than 1860 and no files of early papers. A clerk's house burned about fifteen years ago, and probably many papers and minor records were then destroyed. The marriage certificates and burial returns have been preserved for only two years, the present clerk's term. The collectors' records have not been returned to the town, but many have been recovered under the new law. There is no volume of the rebellion record.

GAY HEAD (Sept. 1, 1893). No town hall or town office and no safe for the town's use. The clerk who was elected this year has had no records earlier than the volume commencing in 1889 transmitted to him, and their whereabouts is unknown. The records in his custody are kept in his dwelling in the town during the winter, and taken to a summer hotel kept by him during the summer season. The valuation lists are in the house of the chairman of the selectmen. The marriage certificates and burial returns have been preserved since 1886. The collectors' records have not been returned to the town.

GILL (Sept. 12, 1893). Wooden town hall at Gill Centre, where the selectmen's office is located. The clerk has a small safe at his

dwelling at Riverside, three miles from the hall, which is filled with part of his records, many others being kept in closets. The valuation lists are in cases in the town hall, and many of the very oldest are among them. The burial returns have all been preserved during the term of the present clerk, two years, and the certificates of marriage for about forty years. The collectors' records have not been returned to the town. There is no volume of the rebellion record.

GOSNOLD (July 12, 1893). No town hall. A frame building was built about four years ago on the island of Cuttyhunk, which is used as a town office, and contains also the public library. There is a safe there containing the valuation lists. The first floor of the meeting-house is used as a school-room, and on this floor there is a safe containing all the town clerk's records. The records are all in good condition and everything is in excellent order. The valuation lists are complete. The marriage certificates and burial returns have been preserved during the term of the present clerk, about nine years. The collectors' records have not been returned to the town, but those for the last ten years are preserved; earlier ones were irregularly kept, and but few, such as they are, have been preserved. No volume of the rebellion record is in existence.

GRANBY (Sept. 14, 1893). An old town hall is used for meetings only, and there is a new wooden town hall used for the town library, schools, and the town office. There is a safe there, new about 1890, full of the various records of the town. The records are in good condition with the exception of the first volume, which needs binding. There are valuation lists in pamphlets for nine occasional years from 1783 to 1797, and nearly if not quite complete from 1803. The marriage certificates and burial returns have nearly all been preserved since 1881. The collectors' records have not been returned to the town. The rebellion record has not been written up.

GREENWICH (July 18, 1893). Wooden town hall, used partly as a school-house. The clerk has a small town safe at his store at Greenwich Village, where his records are kept. They are in good condition with the exception of the volume of proprietors' records, and the earliest record of births, marriages, and deaths, which is on loose leaves or on pages stitched together, unbound. The valuation lists for recent years are in the custody of the assessors, not in safes; the older ones for occasional years from 1791 are in pamphlets in the clerk's store, not in a safe. The marriage certifi-

cates have been preserved since 1881. The collectors' records have not been returned to the town, but a few of them have been obtained by the clerk. The rebellion record was written up in the blotter, but has not been copied into the bound volume furnished by the State. There is a chest of old papers stored in the clerk's store.

HAMPDEN (June 30, 1893). No town hall. The clerk's records are kept in his dwelling, not in a safe. The chairman of the selectmen has a safe in his dwelling in which the clerk keeps the current volume of town proceedings, and the chairman a copy of the valuation lists of Wilbraham from 1798, and of those of Hampden since the division of the town. The valuation lists are kept at the houses of the assessors. The marriage certificates and burial returns have all been preserved. The collectors' records have not been returned. The record of soldiers in the rebellion is contained in the rebellion record of Wilbraham.

HANCOCK (Oct. 14, 1893). Wooden town hall, in which the clerk has a room. There is a very large safe there, new in 1892, and in it all the town records are kept, everything being in most excellent order and the earliest records being in an unusually good state of preservation. The valuation lists from 1811 to 1819 have been kept in one substantial volume, and those from 1855 to 1870 in another; the later ones being preserved and all in the safe. The marriage certificates and burial returns have been preserved since 1887. The collectors' records have not been returned, but several have been recovered under the new law. The rebellion record has been written up.

HATFIELD (Sept. 13, 1893). Wooden town hall, containing the selectmen's office. There is a small old safe there, used for the early valuation lists. The clerk has all his records in his dwelling, not in a safe. The memorial building, intended to be fire-proof, is nearly completed, and all the records will soon be transferred to it. The two volumes of proprietors' records and the first of town proceedings are in bad condition and need binding. There is one volume here containing births, marriages, and deaths in Hadley, Hatfield, and Northampton, which was evidently one of the volumes belonging with the Hampshire County records. The births, marriages, and deaths in Hadley and Hatfield, which were contained in this volume, have been copied, as have all the births, marriages, and deaths contained in the early town records, and such church and private records as the clerk could consult. One

volume of the proprietors' records has been wholly and the other partially copied. The collectors' records have not been returned to the town, but several have been obtained under the new law. The marriage certificates and burial returns have been preserved since 1887. The rebellion record has been written up.

HINSDALE (July 21, 1893). Wooden town hall, containing the town office. There is a small safe there, in which important papers are kept carefully filed. The clerk has a town safe in his store, in which all the records are kept. The valuation lists are nearly if not quite complete from 1795 to 1830 in pamphlets, and in bound volumes since. The marriage certificates and burial returns have all been preserved from 1873, and nearly all from 1869. The collectors' records had not been returned to the town, but the clerk has recovered all but two or three of the last thirty. There is no volume for the rebellion record; the clerk has, however, recovered an enlistment roll dated Sept. 4, 1862.

HOLLAND (May 25, 1893). Wooden town hall, used in part for a school-house. There is a large safe there, containing such records as are not at the clerk's house. The clerk has a small safe in his dwelling, in which the current records and the early records of births, marriages, and deaths are kept. The two earliest books of births, marriages, and deaths are very small, without covers, and need binding. The other records are in good condition. The valuation lists have been preserved since 1800, the earlier ones being in sheets. The marriage certificates and burial returns have been preserved since 1890, the term of the present clerk. The collectors' records have not been returned to the town, but a few have recently been recovered. The rebellion record has been written up.

HUNTINGTON (July 19, 1893). Wooden town hall, containing a safe, new about 1890, in which are the valuation lists and selectmen's records. The clerk has a small town safe in his shop, adjoining his dwelling, in which his records are kept. The records are all in good condition except the first volume, which needs binding and copying. Some of the least important records are on shelves in this shop. The valuation lists, partially complete from 1795 to 1846, are in pamphlets. The marriage certificates and burial returns have been preserved since about 1880. The collectors' records have not been returned to the town, but some have been recovered under the new law.

LANESBOROUGH (Oct. 14, 1893). Brick town hall, used for meetings only. A stone building is used for the public library

and as a town office. There is a small safe there, to which I could not gain access. The clerk has all his records in his house, not in a safe. The records are in good condition with the exception of a volume of proprietors' records and the first volume of proceedings. The valuation lists for 1803, 1806 to 1808, 1814, 1818 to 1822, 1827, and 1829 to 1843 have been bound in thin volumes containing a few years each, and are in an excellent state of preservation. These, with the later valuation lists, are in the town office, not in a safe. Many marriage certificates and burial returns were found in a chest, but the dates were not accessible. No information could be obtained in regard to the collectors' records or the rebellion record. Neither were in the custody of the present clerk, who is acting temporarily by appointment. The town has been unfortunate in having five clerks within ten years.

LEE (Oct. 12, 1893). Town hall in the brick memorial building. The town office has recently been removed into a wooden business block. There are four safes, one each for the clerk, selectmen, assessors, and treasurer. The clerk's safe is, however, of doubtful value in a building of this size. The records are in good condition, with the exception of the first volume of town proceedings, which has, however, been copied. The valuation lists from 1871 are in the safe. Two trunks are filled with old valuation lists and miscellaneous papers, in bad order, and there are files of papers in cases. The marriage certificates and burial returns have been preserved since 1882, the term of the present clerk, and there are occasional ones for earlier years. The collectors' records have been partially returned to the town. There is no rebellion record.

LENOX (Oct. 11, 1893). Wooden town hall, used for meetings only. The town office is in the Charles Sedgwick Library building, formerly the Berkshire County court-house. A large safe is filled with the town records, which are in good condition, some having been renovated. A large collection of papers, valuation lists, and minor records are in cases in the office. Valuation lists from 1806 in pamphlet, and bound from 1808 to date, are there. The marriage certificates and burial returns have been preserved for a very long period, the dates not being easily ascertainable. Most of the collectors' records have been returned to the town. The rebellion record has been written up.

LEYDEN (Sept. 12, 1893). Wooden town hall, containing the selectmen's office and public library. There is an old safe of doubtful value in the clerk's store, which is filled with the various

records. This is too full for the proper arrangement of the records, and there are many miscellaneous records which should be kept in the safe. The first volume of proceedings of the district of Leyden and the volume of proprietors' records are in bad condition and need binding. No valuation lists were found or are known to exist earlier than 1854. The marriage certificates and burial returns have been preserved only since 1890. The collectors' records have not been returned to the town, but those for nine years have been recovered under the new law. There is no volume of the rebellion record.

LONGMEADOW (July 30, 1893). Stone town hall at East Longmeadow, with a large vault, recently constructed, used by the selectmen and assessors for their records, and by the clerk for the storage of papers. The clerk has a town safe at his dwelling, where all his records are kept. The records are all in good condition. The valuation lists from 1799 to 1833 are unbound; all since are bound and preserved. The marriage certificates and burial returns have been preserved during the present clerk's term, four years, and many old ones are in the vault, some bearing date as early as 1856. The collectors' records have not been returned to the town. The rebellion record has been written up.

LUDLOW (June 29, 1893). Wooden town hall at Ludlow Centre. The selectmen have a room in a wooden building at Ludlow, occupied in part by stores and by a public hall. There is a large safe there. The clerk has a safe, which the town has lately provided, in his store, and the records which were recently moved from the town hall are in one or the other of these safes. There is a large collection of old papers at the town hall, although such as were thought to be important have been placed in the safe. The marriage certificates and burial returns have been preserved during the term of the present clerk, and earlier ones are probably among the papers at the town hall. The collectors' records have not been returned to the town, but a few have recently been recovered. The valuation lists from 1791 to 1795, 1799 to 1807, 1811 to 1817, 1819 to 1823, and 1825 to 1836 are in pamphlets, all since being bound. The rebellion record has been written up.

MIDDLEFIELD (July 20, 1893). Wooden town hall, used also for a school-room and the town library. There is no town office. There is a safe at the town hall, new in 1892, containing such of the clerk's records as are not kept in a small town safe at his dwelling and the valuation lists from 1860. The records are in good

condition, with the exception of one or two of the earliest volumes. There are chests of old papers in the custody of members of the board of selectmen, and files of papers in the clerk's dwelling, not in safes. The valuation lists earlier than 1860 are not in a safe. The marriage certificates have all been preserved for about ten years, and there are more or less of them for forty years. The collectors' records have not been returned to the town, but the clerk has obtained several.

MONROE (Oct. 10, 1893). Wooden town hall, used for meetings only. The clerk is treasurer and collector also. He has a very small and undoubtedly worthless town safe in his store, in a wooden building, at Monroe Bridge, which contains his records. The valuation lists are in possession of individual members of the board of assessors, two of the later ones, however, being in the clerk's store. The clerk knows of no records or papers other than the few records in his possession, and the marriage certificates and burial returns preserved during his term of office, two years. The collectors' records have not been returned or recovered. No rebellion record was known of.

MONSON (May 10, 1893). Granite town hall, containing a good vault, in which all the records of all the boards except the school committee, are kept. The records are in good condition with the exception of the first and second volumes of town proceedings, and the first of births, marriages, and deaths, which need binding. The valuation lists are preserved from 1804, with the exception of a few. All the records of the collectors, except five, have been recovered within two years. The marriage certificates and burial returns have been preserved since 1889 only. The rebellion record has been written up.

MONTAGUE (Sept. 12, 1893). Brick town hall at Montague Centre, containing the selectmen's room and town library. The town clerk has a safe of his own in his business office, in a brick block at Turner's Falls, six miles from the town hall. In this he keeps a few records. There is a town office in a brick business block at Turner's Falls, where there is a large vault, in which part of the clerk's records, some valuation lists, and some files of papers are kept. There is also a large safe in the town lockup, which contains part of the later valuation lists and some miscellaneous records. There are many papers and some miscellaneous records at the town hall, not in a safe. With the exception of the first volume of the record of town proceedings, which should be bound

and copied, all the records are in good condition. The marriage certificates and burial returns since 1887 have been preserved and are in possession of the clerk, and there are doubtless earlier ones at the town hall. The collector's records have not been returned to the town. There was no volume of the rebellion record.

MONTGOMERY (July 19, 1893). Wooden town hall, used only as such. A closet there contained valuation lists in pamphlets for 1830 and most of the years from 1836 to 1847, and the later valuation books from 1861 to 1889, the still later lists being in possession of the assessors, none being in safes. There is a small town safe in the unoccupied dwelling of the previous clerk, in which the clerk keeps his records. They are all in good condition except the first volume, containing town proceedings and births, marriages, and deaths, which needs binding. The collectors' records have not been returned to the town. The rebellion record has been written up.

MOUNT WASHINGTON (Oct. 13, 1893). Wooden town hall, used for meetings only. The clerk has a very small town safe in his dwelling, which is filled with his records. The records are in good condition with the exception of the first volume of proprietors' records, which is very dilapidated. There is a copy of this, however, in the registry of deeds at Great Barrington. The valuation lists from 1860, with the exception of 1875 and 1877, which are at the clerk's house, are in a room at the town hall, not in a safe. The marriage certificates and burial returns, if preserved, have not been transmitted to the present clerk, just elected. The collectors' records have not been returned, but several have been collected under the new law. The rebellion record has been written up. There is no accumulation of old papers, a fire some years ago having probably destroyed them, together with the valuation lists prior to 1860.

NEW ASHFORD (Oct. 14, 1893). No town hall or town office. The clerk has a very old safe in his dwelling, in which his records are kept. The valuation lists and all the files of papers are in the clerk's attic, excepting the valuation lists from 1842 to 1863, which are in two small volumes in a safe. The marriage certificates and burial returns have been preserved during the present clerk's term, twenty years. The collectors' records have not been returned to the town, but some have been collected under the new law. There is no volume of the rebellion record.

NEW SALEM (July 18, 1893). Wooden town hall. The only safe is a small one belonging to the town and kept at the clerk's store, which contains all his records. The valuation lists for the last five years are at the town hall, not in a safe; the others, from 1855, when all the town records were burned, being in the possession of a former member of the board of selectmen who had recently moved from town. There are some files of papers at the hall, and some in possession of the family of the former clerk. The marriage certificates and burial returns have been preserved since 1890, and there may be earlier ones among the papers of the former clerk. The rebellion record was written up in the blotter, but never copied in the bound volume furnished by the State.

NORTHFIELD (Sept. 11, 1893). Wooden town hall, containing the town office, in which there is a very large safe and a small old one. These are used in common by the clerk and assessors. No safe is furnished the clerk for the records he is obliged to keep at his house. The clerk is also treasurer. Some records and papers are said to be in chests in the town hall, but access could not be gained to them. The proprietors' records and the first volume of births, marriages, and deaths are in bad condition and need binding. The valuation lists are complete from 1827, and there are probably earlier ones in the chests referred to. The marriage certificates and burial returns have been preserved during the term of the present clerk, five years, and there are doubtless earlier ones in the chests. The collectors' records have not been returned, but volumes for about twenty-five years have been collected under the new law. The rebellion record has been written up.

PERU (July 21, 1893). Wooden town hall, where there is an empty second-hand safe, which, owing to a broken lock, cannot be opened. A desk in the hall contained index books to births, marriages, and deaths, and a few marriage certificates and burial returns, some as early as 1856. The clerk has no safe provided for his records, the records and such papers as are in his possession being in his dwelling. The first volume of records is in bad condition and needs binding. The valuation lists are complete from 1825, and are in possession of the chairman of the selectmen, not in a safe. The marriage certificates and burial returns for recent years have not been preserved. The collectors' records have not been returned to the town. No rebellion record was found.

PETERSHAM (May 16, 1893). Wooden town hall, containing a large safe, new in 1891. There is also a small safe, new in 1892, at the clerk's house, and in one or the other of these all the records

are kept. There is a very small vault or closet in the basement, in which a few unimportant papers are kept. The first volume of births and marriages and the volume of proprietors' records need binding. The valuation lists are preserved from 1844; the earlier ones and all papers and documents earlier than that date were probably burned in the town hall in 1845. The marriage certificates and burial returns have been preserved since about 1850. The collectors' records have been recently recovered. The rebellion record has been written up. The proprietors' records were recovered by the clerk after a search covering nearly two years.

PROVINCETOWN (Sept. 4, 1893). Wooden town hall, containing all the town offices and a hall for entertainments. The clerk is also treasurer and keeps office hours. The records are all in good condition with the exception of the second volume of town proceedings, which needs binding. There are valuation lists for 1810 and from 1816 to date. The files of papers for many years have been gathered together by the clerk and arranged and packed in boxes, among them being marriage certificates and burial returns for many years. The collectors' records have been returned to the town since 1851. The rebellion record has not been written up. Many leaves have been torn out of the records in various places, and tradition says they were removed many years ago during a term of excitement in regard to church matters.

RICHMOND (Oct. 11, 1893). Wooden town hall, used for meetings only. The clerk has a town safe, new in 1892, used for records only, in his dwelling, in which all his records and the valuation lists from 1854 are kept. The volume of proprietors' records and the first of town proceedings are in bad order and need binding; other earlier ones are in fair condition. The marriage certificates and burial returns have been preserved since 1890. The collectors' records have not been returned to the town and there is no volume of the rebellion record. A trunk of old papers contained, in place of the usual valuation lists, files of papers bundled up by years, each paper bearing the name of an assessed person, with the list of his property and the valuation.

ROWE (Oct. 10, 1893). No town hall. There is a small old town safe in the clerk's store, in a wooden building, which is filled with a part of his records. In the second story of the store there is an old bookcase containing papers and records, including some records of marriages, intentions of marriage, and births. The records are in good condition, with the exception of one volume of births, marriages, and deaths, which needs binding. The valua-

tion lists for 1803 and from 1832 are preserved, but not in safes. Those prior to 1832 are in pamphlets. The marriage certificates and burial returns have been preserved since 1888, the term of the present clerk. The collectors' records have not been returned, but several have been recovered under the new law. The rebellion record is written up.

ROYALSTON (May 23, 1893). Wooden town hall, in which the selectmen have a room. There is a small safe there, filled with the valuation lists from 1862. There is also a small old safe in the hall, containing a few unimportant papers. The clerk has a very small safe in his dwelling, where one or two volumes of the current records and a copy of the earliest records of town proceedings are kept. All the other records, including the first volume of births, marriages, and deaths, are in a closet in his dwelling. The first volume of births, marriages, and deaths and the first of town proceedings are in bad condition and need binding. There is quite a collection of old papers in drawers in the town hall, among them being marriage certificates and burial returns, some bearing date as early as 1855. The present clerk has preserved his certificates and returns during his term of service, beginning in 1890. The collectors' records have not been returned to the town. The rebellion record has been written up.

RUSSELL (July 17 and 19, 1893). Wooden town hall, used only as such. There is a room at Russell, used as a town office, to which access could not be gained on either day. There is said to be a safe there, used by the selectmen for a small part of their books and papers. The other records and papers not in the clerk's custody are kept there, not in a safe. The clerk has a small safe in the mill of the Fairfield Paper Company, at Fairfield, two miles from the town office, which is loaned him, in which he keeps the few records in his custody. He has no access to or custody of any other records or papers, and no further information about them could be obtained.

SHEFFIELD (Oct. 12, 1893). Brick town hall, containing the town office, the town hall, lockup, tenements, and business offices. There is a very large safe there, comparatively new, used by all the officers. The second volume of town proceedings, covering the years from 1769 to 1777, is missing, most of the other records being in the safe. The first, third, and fourth volumes of proceedings are in bad order and need binding. There is a great collection of old papers in various places in the office, the older ones being in confusion; among these were valuation lists for

1766, 1769, 1771 to 1826, 1829 to 1839, 1841 to 1848, and many sheets without dates, duplicates, etc. The valuation lists from 1850 are bound. No marriage certificates or burial returns prior to the present year, which is the first year of the present clerk's term, were found. The collectors' records have not been returned. The rebellion record was written up in the blotter only.

SOUTHAMPTON (Sept. 15, 1893). Brick town hall, containing the selectmen's office. There is a large safe there, new in 1890. The clerk has an old town safe in his store, in which the current records are kept. All the records except the early valuation lists are in one or the other of the safes. The clerk is also treasurer and collector. A volume of proprietors' records and the first of town proceedings are in bad condition and need binding. The valuation lists for 1803 and from 1808 to date have been preserved. The marriage certificates and burial returns have been preserved since 1872. The collectors' records have not been returned, but some thirty volumes have been collected under the new law. The rebellion record has been written up.

SOUTH HADLEY (Sept. 14, 1893). No town hall. The selectmen have an office in a small wooden town building erected for the purpose. There are two safes there, one very large, new in 1890. The clerk has a safe of his own in his store, in a brick building, where he keeps his current records. The largest safe is filled with the valuation lists and selectmen's records and papers, the other being used by all the officers. The earliest record, being in a pamphlet, is in a very dilapidated condition, and the first volume of town proceedings and the volume of proprietors' records are in bad condition and need binding. There is a large accumulation of papers in drawers and chests, and among them were found the valuation lists for early years, making the file nearly complete from 1793 to the present time. The marriage certificates and burial returns, some as early as 1829, and for most of the years since, were also among the papers. The collectors' records have not been returned, but a few have been collected under the new law.

SOUTHWICK (June 30, 1893). Wooden town hall, containing the selectmen's room, in which the valuation lists are kept, and where there are several chests of papers. There is no safe there. The clerk has a small worthless safe in his dwelling, in which the oldest records are kept, the later ones being outside. The first volume of town proceedings is in a dilapidated condition and needs binding. The valuation lists, in pamphlets, for 1799, 1804 to 1817, 1820, 1825 to 1829, 1839, and 1842 to 1847, were among the

papers in the chests ; those from 1848 to date are bound and preserved. The marriage certificates have not been preserved, unless some may be among the old papers. The collectors' records have not been returned to the town. The rebellion record has been written up. It has been currently reported that when the town hall was burned, in 1876, many records and papers were burned ; but, in view of the fact that there are so many of the papers preserved, this is probably not true, and a missing volume of town proceedings covering the years from 1819 to 1834 may be found.

STOCKBRIDGE (Oct. 12, 1893). Wooden town hall, used for meetings only. A brick building, erected in 1886 and considered fire-proof, contains the town offices, the clerk, selectmen, and assessors each having an office. The clerk has a safe for his use, and there is another for the selectmen. With the exception of some papers and valuation lists, all the records are in one or the other. All but three volumes of the records are in good condition. At the time of moving into the new building Mr. F. S. Aymor, one of the selectmen, made a careful inspection of all material removed from the old town hall, and found a roll of about forty pages in a very dilapidated condition, which proved to be the records from 1739 to 1760. These have been copied. The original grant of the Upper Housatonic lands, in 1737, was also found, and has been renovated and preserved. He has also filed and arranged all the town papers from 1795. The valuation lists from 1801 to date, with the exception of 1806, are preserved. The marriage certificates and burial returns have been preserved for many years. The collectors' records have not been returned or recovered. The rebellion record has been written up.

SUNDERLAND (Sept. 13, 1893). Brick town hall, used for the town library and schools. The clerk has two safes in his dwelling, one new about 1890. All the more important records are kept in the new safe, valuation lists and minor records being kept in the other. The volume of proprietors' records and the first volume of births, marriages, and deaths are in bad order and need binding. There is an ancient copy of the proprietors' records and a recent copy of the other volume. The early valuation lists and the marriage certificates and burial returns for probably fifty years are packed in chests in the clerk's dwelling, with other papers. The collectors' records have not been returned, but a few have been collected under the new law. In 1880 the rebellion record had not been written up, and the town then voted that such a record be made so far as possible and placed among the other records of the

town for preservation, and in 1882 a record of "Soldiers in the Civil War" was printed by vote of the town.

TISBURY (Aug. 31, 1893). No town hall. A building is being fitted for an engine-house and town offices. The clerk has a town safe in his store, in a wooden building, in which the records are kept. The town office is in a room in a business block, where the selectmen have a safe, in which the later valuation lists are kept. The first volume of births, marriages, and deaths is in bad condition, but has just been copied. The other records are in good condition. The valuation lists are nearly complete from 1826. The marriage certificates and burial returns have all been preserved since 1885, and there are some for previous years. The collectors' records have not been returned to the town, but the clerk has obtained quite a number under the new law. The files of papers are not in safes. There is no volume for the rebellion record.

TRURO (Sept. 5, 1893). Wooden town hall, containing a selectmen's room. The clerk has three small town safes in his dwelling, in which his records as clerk, treasurer, and collector are kept. The valuation lists are at the town hall, not in a safe, and there are some ancient ones among them. All the records are in good condition, the earliest having been re-bound some years ago. Copies of pages which were mutilated were made and inserted in place of the originals, which have been preserved by the clerk and kept in a safe. The marriage certificates and burial returns have been preserved for about fifty years; these, with many other papers, are in chests at the town hall. Many of the collectors' records, probably all in existence, have been recovered.

TYRINGHAM (Oct. 12, 1893). Wooden town hall, used for meetings only. A room in the school-house is used for occasional meetings of the selectmen, and there is one large second-hand safe there, purchased in 1891, and a small old one. The valuation lists from 1847 are in the large safe; records of births, marriages, and deaths in the smaller one, and the clerk's records at his house, not in a safe. The marriage certificates and burial returns have been preserved since 1867 and there are a few earlier. The collectors' records have not been returned and none have been recovered. The rebellion record was not furnished by the State, but the town has a volume containing a record of the enlistments.

WALES (May 26, 1893). Wooden town hall, used for meetings only, the selectmen having no office and no records are kept there. The clerk has a small safe in his store, in which the records of

town proceedings and of births, marriages, and deaths are kept. No provision is made for safes for any other records. Several of the older volumes are in bad condition and need binding. The valuation lists are complete from 1786, and those from 1786 to 1842 have just been copied. The assessors' records are scattered, some being in the clerk's store and some in a former residence of his, now vacant. The marriage certificates and burial returns have been preserved only during the present clerk's term, which has covered the years from 1883, excepting 1889. The collectors' records have not been returned to the town. The present clerk found many records in an old secretary in a barn when he first took the office.

WARWICK (Sept. 11, 1893). A dwelling given to the town, the income from which is to be divided among three churches, is used for a public library, a tenement, and in the second story for a town office. A small safe contains most of the records considered important, and a worthless one has a few insignificant records in it. The valuation lists and a number of volumes of miscellaneous records are kept in closets. The later valuation lists are in the selectmen's room, not in a safe. The proprietors' records, the first volume of town proceedings, and the first of births, marriages, and deaths are in bad condition and need binding. There are four parchment rolls, containing the lay-out of the original grants to the proprietors, which are fading and should be copied. Many of the early valuation lists, beginning with 1802, were copied into one volume, and the lists are complete from that time. The marriage certificates and burial returns have been preserved for ten years. The collectors' records have not been returned, although the clerk has obtained those for the last three years. The rebellion record has been written up.

WASHINGTON (July 20, 1893). Wooden town hall, used only as such. A safe, new in 1893, contains such records of the clerk as are not in a very small town safe in his dwelling. The valuation lists for late years are kept at the house of the chairman of the assessors. Dilapidated lists for ten years between 1800 and 1829 were found in a chest of old papers, but no information could be obtained in regard to any others. The marriage certificates and burial returns have been preserved during the term of the present clerk, two years, but no information could be obtained in regard to any others. The collectors' records have not been returned to the town. There was no volume for the rebellion record.

WELLFLEET (Sept. 5, 1893). Union Hall, owned by the Universalist society, is hired by the town, and contains the selectmen's room. A small safe there is used by the clerk and selectmen, and a larger safe, bought in 1890, is used by the assessors, and in it are most of the valuation lists. The clerk has a very old town safe at his house for the current records, but it is insufficient for the records necessary for him to have at hand. The first, second, and third volumes of town proceedings are in bad condition and need binding; the others are in good condition. Two chests of papers were found to contain the early valuation lists, school district records, and other papers which should be filed. The marriage certificates and burial returns have been preserved for many years, but the dates were not accessible. All the collectors' records said to be in existence, with the exception of a few in regard to which the town is now having a lawsuit, have been obtained.

WENDELL (May 23, 1893). Wooden town hall, where a few of the early valuation lists are kept. The clerk has a very small safe in his dwelling, wholly insufficient for his needs, most of his records being in a closet there. The valuation lists are scattered, some being at the town hall, some at the house of the chairman, and some at the clerk's, none being in a safe. There are chests of papers at the hall. The records are in good condition, with the exception of the first volume of births, marriages, and deaths, which needs binding. The marriage certificates and burial returns have been preserved for many years. Ten of the collectors' books have been recovered during the year, no others being returned to the town. The rebellion record has been written up.

WESTFIELD (April 26, 1893). Brick town hall. The clerk is treasurer and collector, and clerk of all the boards, and keeps office hours. There is one large safe used exclusively by him, and a smaller one used by him and the selectmen. The valuation lists are not in safes. The records are in excellent condition, with the exception of one very small ancient volume of births, marriages, and deaths. The town has unusually fine plans of water works, streets, and sewers, and it has a volume of typewritten records of all the roads laid out by the county commissioners. There are valuation lists from 1825, and undoubtedly earlier ones among a large accumulation of papers in drawers in one of the rooms in the building. The collectors' records for the last thirty years have been procured. The marriage certificates and burial returns have been preserved since about 1885. The town engineer has an office, but no safe for plans.

WESTHAMPTON (Sept. 14, 1893). Wooden town hall, used only for meetings. The clerk has two town safes in his store, and all the records are kept in one or the other. The earlier records are in unusually good condition. The record of births, marriages, and deaths was burned in 1808, but a record from private sources, evidently commenced at that time in a new volume, has a record by families, containing entries of as early date as 1753. The valuation lists are bound and complete from 1808. The marriage certificates and burial returns have all been preserved since 1871, and there are very many back to 1846. The collectors' records have not been returned, but some have been collected under the new law. The rebellion record has been written up.

WEST SPRINGFIELD (April 17, 1893). Brick town hall, containing all the town offices. The clerk is clerk of the selectmen and assessors and keeps regular office hours. There is a large safe, new in 1890, used by the selectmen, clerk, treasurer and collector. All the records are in good order with the exception of the first volume of births, marriages, and deaths, which needs binding. The collectors' records have been demanded and collected for all but two years. The rebellion record has been written up. There is a very large quantity of old papers and documents, probably nearly all that have belonged to the town since 1774, piled in confusion in an upper room in the hall; among these are many burial returns.

WEST TISBURY (Sept. 1, 1893). No town hall. A room is hired for the town office. A small town safe is kept in the clerk's store and is sufficient for the present records of the new town. A separate safe is to be procured for the clerk later.

WHATELY (Sept. 13, 1893). Wooden town hall, containing the selectmen's room. There is a large safe there, new in 1891, in which all the records are kept. An old safe there contains some papers, among them marriage certificates and burial returns, which have been preserved for about ten years. The records of town proceedings and births, marriages, and deaths prior to 1848, which were reported by the clerk in 1885 as being in his possession, are now missing. The valuation lists for a few scattering years from 1831 to 1847 are the only ones earlier than 1850 known to be in existence. A list for 1865 is at present missing. The collectors' records have not been returned, but a few have been collected under the new law. The rebellion record has been written up.

WILBRAHAM (June 29, 1893). No town hall. There is a town office in a wooden building, used for stores and a dwelling, at North Wilbraham. There is one large safe, new in 1889, and an old, apparently worthless one. Most of the records are in one or the other of these safes. The first and second volumes of town proceedings are in bad condition and need binding and copying. There were several chests containing old valuation lists, collectors' records, and miscellaneous papers; one volume contained the valuation lists from 1798 to 1827, and most if not all of the later ones are preserved, either in pamphlet form or bound. The marriage certificates and burial returns have been preserved since 1878, and there were many earlier ones in closets, some bearing date as early as 1850. The collectors' records have not, as a rule, been returned to the town, though some have lately been obtained. The rebellion record has been written up.

WILLIAMSTOWN (Oct. 9, 1893). No town hall. There is a town office in the Waterman & Monroe Opera House building, where there is a large new safe, used by the selectmen and assessors and for the overflow from the clerk's safe. Access could not be gained to this safe. The clerk has a small town safe of doubtful value in the office of the Williamstown Manufacturing Company, in a wooden building. The current records and the old records of births, marriages, and deaths are kept here, a few volumes being in a safe belonging to the aforesaid company. The records are in good condition, with the exception of two early volumes of proprietors' records, which are in very bad condition. The marriage certificates have been preserved since 1882 and the burial returns since 1883. The collectors' records have not been returned to the town, but have been partially recovered under the new law. The rebellion record has been written up. In 1843 Prof. James H. Coffin copied the surveys recorded in the proprietors' records, resurveyed the roads, and made a map of the same.

ASSESSORS' RECORDS.

Inspection in the towns has brought to light many of the early valuation lists, in all conditions, varying from very dilapidated to carefully preserved. These, as a rule, are not in safes, and many early lists are not accessible unless much time and trouble were taken to bring them from the out-of-the-way places in which they are stored. They should be among the records most easily searched.

The following table gives the dates of the lists found during the year:—

County of Barnstable.

Eastham,	Complete from 1797.
Provincetown, . .	For 1810, and from 1816.
Truro,	There are many old lists, the dates not being accessible, and later ones complete.
Wellfleet, . . .	Some pamphlet lists as early as 1797, and volumes later.

County of Berkshire.

Alford,	Nearly complete from 1824.
Becket,	Many early lists in sheets, and volumes from 1828.
Cheshire,	From 1814, excepting 1815, 1816, and 1820.
Clarksburg, . . .	From 1801 to 1814, inclusive, and from 1838.
Egremont,	For 1825 and many occasional years to 1840; complete since.
Florida,	From 1860.
Hancock,	From 1811 to 1819, inclusive, and from 1855.
Hinsdale,	Nearly complete from 1795.
Lanesborough, . .	For 1803; from 1806 to 1808, inclusive; for 1814: from 1818 to 1822, inclusive; for 1827; and from 1829.
Lee,	Many old lists, the dates not being accessible.
Lenox,	For 1806, and from 1808.
Mt. Washington, .	From 1860.
New Ashford, . . .	From 1842.
Peru,	From 1825.
Richmond,	There are slips of paper, each being the valuation for a person, in bundles by years for many years prior to 1854, and volumes from that time.
Sheffield,	For 1766 and 1769; and nearly or quite complete from 1771 to 1848 in sheets, and in volumes since.
Stockbridge, . . .	From 1801, excepting 1806.
Tyringham,	From 1847.
Washington, . . .	Fragments of lists for 1800 and 1803; from 1806 to 1810, inclusive, and from 1827 to 1829, inclusive. Later ones not accessible.

County of Dukes County.

Gosnold,	Complete from 1865.
Tisbury,	From 1826 to 1828, inclusive; from 1831 to 1839, inclusive, excepting 1834; for 1842; from 1844 to 1852, inclusive; for 1855 and 1856; and from 1858.
West Tisbury, . .	For 1892 and 1893.

County of Franklin.

- Bernardston, . . . Nearly complete from 1762.
Leyden, For 1854, 1857, 1858, and from 1860.
Northfield, . . . From 1827 to 1840, inclusive, and from 1860.
Probably earlier ones, but not accessible.
Rowe, For 1803, and from 1832.
Sunderland, . . . From a very early date, the earliest not being accessible.
Warwick, Many early lists not accessible, and volumes from 1802.
Whately, From 1831 to 1844, inclusive, excepting 1833 and 1837; for 1847; and from 1850, excepting 1865.

County of Hampden.

- Blandford, Nearly complete from 1819, and a copy from 1816 to 1824, inclusive.
Brimfield, From 1783.
Chester, From 1765 to 1824, inclusive; for 1830 and 1831, and from 1841.
Hampden, From 1878.
Holland, From 1800.
Longmeadow, . . . From 1799.
Ludlow, From 1791 to 1795, inclusive, and from 1799, excepting 1808, 1810, 1818, and 1824.
Monson, Nearly complete from 1804.
Montgomery, . . . For 1830; from 1836 to 1847, inclusive, excepting 1840 and 1844; and from 1861.
Southwick, For 1799; from 1804 to 1817, inclusive; for 1820; from 1825 to 1829, inclusive; for 1839; and from 1842.
Wales, From 1786.
Wilbraham, From 1798.

County of Hampshire.

- Easthampton, . . . For 1794; from 1799 to 1803, inclusive; for 1805; from 1808 to 1811, inclusive; and from 1813 to 1820, inclusive; for 1822, 1827, 1829, 1839, 1842, and 1844, and from 1849.
Enfield, From 1816.
Granby, For 1783, 1784, 1785, 1789, and 1792; from 1794 to 1797, inclusive; 1803 to 1824, inclusive; for 1826, and from 1850.
Greenwich, Lists for occasional years from 1791 to 1850, and in volumes since.
Huntington, For 1795, 1801, and 1802; from 1806 to 1809, inclusive; for 1811; from 1813 to 1815, inclusive; from 1818 to 1820, inclusive; from 1826 to 1829, inclusive; for 1831, 1832, 1837, 1838, 1840, 1841, and from 1845.

County of Hampshire — Concluded.

Southampton, . . For 1803, and from 1808, excepting 1852.
South Hadley, . . . Nearly if not quite complete from 1793.
Westhampton, . . . From 1808.

County of Worcester.

Dana, From 1801, excepting 1808.
Petersham, From 1844.

BIRTHS, MARRIAGES, AND DEATHS.

Volumes are often found in the towns which were commenced as ancient copies of births, and in which original entries have been continued. There are no originals of the copies, and from what or by whom either the originals or copies were made is not known. They often contain a record of families, beginning with persons known to have been born elsewhere, sometimes in England, years before there was a settlement or record in the town. They bear no attestation and of course are not a legal record, and are often misleading, but are looked upon as the original record. This accounts for the very early dates of births reported in many of the towns.

Reference has been made on a previous page to the incompleteness and inaccuracy of the records of births, marriages, and deaths, but the subject is of such great importance that it must be again enlarged upon.

The necessity of accuracy in these records is too apparent to dwell upon, but none are so incorrect. Errors and omissions in the ancient records cannot be corrected or supplied, but those of later years might if the law allowed it, and there should be legislation not only to allow but to require it. It is true that an act intended to correct the trouble has recently been passed, but it does not. This is the law: —

The clerk of a city or town, or the city registrar, shall “receive and obtain” the facts required in regard to a birth, marriage, or death, and record them *in the order in which he receives them*.

Parents shall give notice to the clerk of the birth or death of their children.

Every householder shall give notice of every birth or death happening in his house.

The eldest person next of kin shall give such notice of the death of his kindred.

The keeper of a workhouse, house of correction, prison, hospital or almshouse, except the State Almshouse, and the master or other commanding officer of a ship shall give like notice of every birth or death happening among persons under his charge.

A physician who has attended a person during his last illness shall when requested (by whom?) forthwith furnish for registration a certificate stating, to the best of his knowledge and belief, the name of the deceased, his age, the disease of which he died, the duration of his last sickness, and the date of his decease.

Every sexton, undertaker, or other person having charge of a burial ground, and every undertaker or superintendent of burials having charge of the funeral rites preliminary to the interment of a human body, shall forthwith return to the clerk of the city or town in which the deceased *resided* or the death *occurred* the facts required to be recorded by the clerk.

Physicians or midwives shall, on or before the fifth of each month, report to the clerk of the city or town a correct list of all the children born therein during the month next preceding, at whose birth they were present, stating the date and place of each birth, *the name of the child (if it has any)*, the sex and color of the child, the name, place of birth and residence of the parents, and occupation of the father.

A physician who has attended at a birth of a child dying immediately thereafter, or at a birth of a still-born child, shall when requested (by whom?) forthwith furnish for registration a certificate stating, to the best of his knowledge and belief, the fact that such child died after birth or was born dead.

The clerk or registrar of a city or town shall, on the first day of each month, make a list of persons deceased recorded in his records who were residents of any other city or town, or of children born whose parents were residents of any other, and transmit it to the clerk or registrar of such other city or town for record.

Persons intending to be joined in marriage shall, before their marriage, cause notice of their intention to be entered in the office of the clerk or registrar of the city or town in which they respectively dwell, or, if they do not dwell within the Commonwealth, in the office of the clerk or registrar where they intend to have the marriage solemnized. The clerk shall deliver a certificate, which must be presented to the minister or magistrate before he solemnizes the marriage, but he must not issue it to a male under twenty-one or to a female under eighteen when he has reasonable cause to

suppose him or her under such age, except upon application or consent in writing of his or her parent, master, or guardian.

When a marriage is solemnized in another State between parties living in this, and they return here to dwell, they shall, within seven days, file with the clerk or registrar of the town where either of them lived at the time, a certificate or declaration of their marriage.

Every person authorized to perform the marriage ceremony and the keeper of the records of a meeting of Friends or Quakers shall make and keep a record of each marriage solemnized before him, and between the first and tenth of each month return the marriage certificate to the clerk or registrar who issued it, and if the marriage was solemnized in a city or town other than the place or places in which the parties resided, return a copy of the certificate to the clerk or registrar of the city or town in which the marriage was solemnized. All certificates returned shall be recorded by the clerk or registrar receiving the same.

The burial returns and marriage certificates must be preserved, filed, and indexed by the clerks or registrars.

The city or town clerk or registrar of deaths shall, on the first day of every month, and also two days before every election, transmit to the registrars of voters a list of the names of all residents of twenty-one years of age or upwards who have deceased within the preceding month, or since the date of the list previously transmitted.

Penalties are prescribed for neglect or violation of the above requirements.

This is the working of the law, varying according to custom in the city or town:—

The clerks do not “receive” the returns required because so few householders, parents, or eldest of kin know the law or make the return required that practically none do; the physicians are very derelict in returning deaths, some returning annually, and some even refusing to make returns, excepting in Boston and some other places, where within a year they have generally complied with the law. (They may claim that they have not been “requested.”) Clerks sign burial permits in blank and give them to the undertakers in quantity, and the neglect to return one is not known. Undertakers return them to members of the board of health, as they may under the statutes, and the return does not reach the clerk. Physicians and midwives are derelict in returning births, and they purposely neglect to return the births of ille-

gitimate children. They return to the clerk of their own city or town births in adjoining towns. Physicians coming from border towns in other States make no returns. Midwives need pay no attention to the recent act in regard to still-born children, when in fact in large manufacturing cities and towns they attend at a large part of the births, and no record is received of the facts.

No provision is made in the laws as to how the clerk shall "obtain the facts required," and there is no uniformity of action. In the cities and large towns persons are employed to make a house-to-house canvass for the births. The question is asked, "Has there been any child born here this year?" and if the answer is "no," the canvasser cannot dispute it. If there has been an illegitimate child the answer is generally "no." There may have been births in families which have removed, of which no record is obtained. If any one claiming to know the facts gives them they are recorded for what they are worth. Clerks of experience are taking various measures to make these canvasses more accurate, asking for signatures or names of informants, and then comparing the record with returns which have been received. In small towns the clerk makes his own canvass, or in very small ones relies upon personal knowledge, preferring that to the information in the returns. The requirement that the clerk shall, under certain conditions, transmit to other towns births and deaths often results in births and deaths being recorded in two places, with no explanatory information.

Marriage certificates are obtained with the greatest ease by persons not entitled to them, by false representations which cannot be disproved by the clerk. Persons known to be ineligible by reason of their age or of having a husband or wife go out of town and obtain a certificate, and in border towns they go out of the State and are out of reach of our laws, returning to a town where they are not known and where no certificate is looked for or filed. Intentions are recorded when no marriage takes place, but in the incompleteness of the records it will be assumed in later years that it took place, but the record was omitted. In one instance at least a certificate was obtained and the intention of marriage printed in a daily newspaper when the marriage was not intended by the lady.

Clergymen, as a rule, keep no such record of marriages as is intended by the law, and, as far as can be ascertained, justices of the peace seldom keep *any*. Both are careless about returning the certificates, and when returning to two towns the marriage is likely to be recorded as occurring in both.

Under the varying methods of receiving and obtaining the facts a clerk cannot record them "in the order in which he receives them"

without having the chronological order of his record destroyed, and of course cannot make the monthly return to the registrars of voters of that of which he has no record.

No one is designated to prosecute for the several penalties outside of Boston excepting the secretary of the Commonwealth, who *shall* prosecute for some of them. The absurdity of placing the honorable secretary of the Commonwealth in the position of prosecutor of a parent in western Berkshire who has neglected to return the death of his child should be a sufficient argument for a repeal of this part of the law.

Notwithstanding the fact that the record is wrong in very many cases and is known to be, "the record of a town clerk relative to a birth, marriage or death shall be prima facie evidence, in legal proceedings, of the facts recorded."

The public health is endangered by the dereliction of persons who should make returns under the registration laws. As an illustration the case may be cited of a person who died from scarlet fever and whose body was kept in the house for several days, a wake being held meanwhile, at which more than a hundred persons were exposed to the disease. The health officers found the undertaker blameless in the matter from the fact that he had not received the death certificate from the physician until the day of the funeral.

Under chapter 306 of the Acts of 1888, most of the burials of persons in a cemetery outside of the town in which they die are illegal.

The whole subject is well worth the consideration of the special committee of the Legislature suggested.

PROPRIETORS' RECORDS.

Inspection in the western part of the State has disclosed many volumes of proprietors' records, usually in rather poor condition, but legible, and, as a rule, complete. These often contain plots of the original surveys, and in some cases there are plans which from their unbound condition are in danger of being destroyed. Copies of these should be made for the registries of deeds. The Plymouth registry has nearly all such records in the county copied, and all will be soon. The southern Berkshire registry has several volumes of copies, but there has been no general movement in the counties, as there should be.

The copying of all proprietors' records should be compulsory rather than permissive, as at present.

An illustration of the value of these records and plans is furnished by the map prepared by Henry M. Burt, Esq., of Springfield, for his book on "The Burt Family," reproduced in the "Springfield Republican" of November 10, 1893. This is a plan of the Plantation of Agawam, afterward the town of Springfield, as laid out about 1640, upon which Mr. Burt has located the streets of to-day. There are very many of these plans of the old plantations which are almost unknown, that could be copied and placed in the registries to serve as the foundation for such maps as this of Springfield, which would be of the greatest value to conveyancers and surveyors.

Attention is called to the proprietors' records of Warwick, Westfield, Wilbraham, Greenwich, and Hatfield, mentioned under the title "General Information on Records." Those of Warwick will be seen to contain names of early residents of Roxbury and Brookline, who presumably settled in Warwick; those of Westfield and Wilbraham contain records of Springfield town meetings; the title of the Greenwich records is ambiguous enough to excite curiosity to know more of them, while the records of Hatfield are as important to landowners in surrounding towns as to Hatfield.

PARISH AND CHURCH RECORDS.

The value of the parish and church records is constantly becoming more apparent. No one attempting to trace genealogy can fail to be surprised and disappointed at the difficulties encountered by the loss or incompleteness of the town records of births, marriages, and deaths, especially of births. The records of marriages and deaths in the early church records often supply deficiencies in these, and the records of baptisms, which in early days were considered necessary, are generally the only records which give a clue to the probable date of birth. As a rule they are carelessly kept in dwellings, exposed to danger from fire; and although it has been decided (*Sawyer v. Baldwin*, 11 Pick., 492) that a book kept by a single minister during his term of service, containing memoranda of church matters, in the absence of any other record, is a church record, these books are often, if not usually, considered by the minister to be his private

memoranda and are carried away. As the parish in early days was the town, the early parish records are in reality the town records, but the towns have lost jurisdiction over them. Many of these early records are *known* to be in possession of persons having no right to them, and others undoubtedly are, and their delivery to the church or parish clerks should be insisted upon, even if legal measures are necessary for their recovery.

If the church or parish has ceased to exist, the records should be in possession of the town, but until it has there is no way under existing laws by which the town can secure them.

The inability to find the records of extinct churches and parishes, which should have been returned to the city and town clerks immediately upon the extinction of the church or parish, is largely accounted for by the half extinct condition in which many lingered along. There are about seventy now in that condition which have not held religious services for many years and probably will never again, whose records are held by some person claiming that the church or parish is not extinct.

Funds are believed to be illegally held in some cases, and one fund left to support preaching has entirely disappeared. The records which have recently been recovered show a balance in 1870 of \$2,392.95, which should have been much larger, but by the time the records were recovered the money had gone beyond recovery.

While copying by the cities and towns seems to be the most feasible way to reach the records of existing churches and parishes, those of the half extinct might be saved from loss by the passage of the following act:—

AN ACT TO PROVIDE FOR THE CUSTODY OF THE RECORDS OF A RELIGIOUS SOCIETY, CHURCH, PARISH, OR ASSOCIATION FOR RELIGIOUS WORSHIP, WHICH HAS CEASED TO HOLD RELIGIOUS MEETINGS.

SECTION 1. When a church, parish, religious society, monthly meeting of the people called Friends or Quakers, or any body of persons, who have associated themselves together for the purpose of holding meetings for religious worship, shall cease for a term of two years to hold religious meetings regularly, the persons

having the care of any of the records or registries of such church, parish, religious society, monthly meeting, or association, or of any church, parish, religious society, monthly meeting, or association connected therewith, shall deliver all such records to the clerk of the city or town in which such church, parish, religious society, monthly meeting or association is situated, and such clerk may certify copies thereof.

SECT. 2. Every person having any records of the deacons, church wardens, trustees, overseers, or other similar officers, of any of the assemblies or associations aforesaid, by whatever name called, shall deliver all such records to the clerk of the city or town in which such assembly or association is situated, and such clerk may certify copies thereof.

SECT. 3. If any church, parish, religious society, monthly meeting, or association, the records or registries of which, or of any officers of which, have been so delivered, shall resume regular religious meetings under its former name, or shall be legally incorporated with some church, parish, religious society, or monthly meeting, the clerk of said city or town shall, upon demand made in writing by a duly authorized person, deliver such records or registries to such person: *provided, however*, that said person shall, in writing, certify that to the best of his knowledge and belief said religious meetings are to be regularly continued, or such incorporation has been legally completed.

SECT. 4. Every person who, after demand made by the clerk entitled by law to have possession of the records or registries aforesaid, wrongfully detains the same, shall forfeit the sum of one hundred dollars, to be prosecuted for by said clerk.

VALUE OF RECORDS.

Strange as it may appear to one who appreciates the value of the records, the question is still asked, "Of what value are these old records?" Money value is usually in the mind of the questioner, and he can find the answer if he will consult the reports of various commissions appointed from time to time by authority of the Legislature to settle disputes between towns, and see how often the old records have been the only foundation for a just settlement, or their loss has prevented such; or he will appreciate their value if he will glance through the Massachusetts Reports and observe how often the old records, especially of churches or parishes, are relied upon by parties to suits. And if his town is not

an exception he need not go far to learn that the town is believed to be unjustly charged with the support of a pauper because the old records are not at hand, or to find that much of the town's money has been "fooled away" in quarrels where the records might have prevented them.

There have been numberless cases of legislation over the location of a highway because of the loss of the record of the original lay-out, and relocations have been established only to be found incorrect when the records have been found.

I predict much trouble and expense for the commissioners in laying out the new State highways because of the loss of the records of the original lay-outs.

CONDITION OF THE RECORDS.

The condition of the most ancient records can only be fully realized by inspection, but the reproductions here presented are illustrations of the neglected condition of them. Plates 1 and 2 are from photographs, reduced in size, of what once constituted a volume of Natick records, and are a fair representation of the condition of what can be found in very, very many of the oldest cities and towns. These pages were selected because they show also specimens of Indian records, probably the only town records in that language in the State.

Plates 3 and 4 are presented to show what may be done to preserve records apparently beyond redemption. Plate 3 is a reduced reproduction of a paper from the files in the office of the clerk of the Supreme Judicial Court in Boston. This is one of some 250,000 papers saved from total destruction, a description of which is given in the catalogue of the records and files in the office. When taken for treatment it was reduced almost to powder by mould, but by expert handling was placed between sheets of transparent paper and now constitutes a leaf in one of the volumes into which these old papers have been bound, both sides being legible. The paper is one of forty in a somewhat noted case in relation to Bendall's Dock in Boston.

In preparing these papers it became necessary to gather fragments which had become detached and match them to complete documents. Plate 4 represents a paper formed

2 2 Nee wutshik goonye an wutshik la rian
 Nee ahullamuk wutshik anaguk epeam
 onk ne -- nisee nisee nisee papiam
 two arrows onk ne wutshik nisee
 James Wilson

2 3 Logee wutshik ne nisee onk ne
 goannoyon an wutshik ne nisee
 ne at heneo kushon ne wutshik nisee
 ne wutshik Benjamin nisee papiam

2 Nee wutshik wutshik ahullamuk
 moaggoonuk nisee ne goannoyon nisee
 ne wutshik ne nisee papiam
 arrows onk ne wutshik nisee

2 gunnookahaguk onk nisee nisee
 Chupookahaguk nisee moaggoonuk
 2 arrows nisee ne nisee onk ne
 wutshik nisee James Wilson

The waban son of wutshik wutshik an
 onk ne nisee nisee "one nisee nisee"
 yoo wutshik nisee wutshik nisee nisee
 Abraham spoon onk ne ne nisee nisee
 nisee nisee nisee nisee



47
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 Walker John Hall
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from such fragments matched and placed between the transparent paper, and while a comparatively large piece is missing, the purport of the paper is clear. All fragments not yet used are indexed by names on them or other distinguishing features, and from time to time documents are found to which they belong and they are inserted.

Records in the condition of those shown in Plates 1 and 2 are looked upon as beyond repair, and if copies, often unattested and inaccurate, have been made, no effort is made to preserve the originals from further destruction; or if they have been rebound, the binder, to make a good-looking volume, has trimmed the edges of the leaves, often cutting off dates. Plates 3 and 4 show what can be done to preserve any records, however dilapidated.

ACCUMULATION OF RECORDS AND PAPERS.

How the immense accumulation of records in the registries of deeds and of volumes and papers in the courts is to be provided for in the fire-proof receptacles required by the statutes will soon be a serious problem. In fact, with the knowledge gained from the serious fires of recent years it is apparent that with the exception of a few new fire-proof buildings the statute requirements are not now carried out. If as new buildings are projected they must be upon a scale large enough to provide for the accumulation of records, with the attendant great cost, the question arises, cannot there be a reduction in bulk?

An attempt has been made from time to time to reduce the forms of deeds and other legal documents, but this has been done more with a view of simplifying them than of reducing the number of volumes in the registries of deeds. As compared with other States, our forms are unnecessarily long, and the mass of matter recorded in the registries could be reduced fully one-third by the adoption of shorter forms.

The detailed reports upon the condition of the records in the cities and towns show that there are in many places accumulations of papers, usually neglected, many of which are very old. Among these are small books of record, which, being unbound, have been thrown with loose papers; and many of the papers are valuable in the absence of records.

The safety of what are valuable is endangered by the large quantity of useless papers, such as outlawed receipts, official circulars, etc. It seems unreasonable to expect that safes shall be provided for all of these, yet they are part of the files of papers, and as such they should, under the statutes, be in safes.

The suggestion of the destruction of papers will be opposed by some, and that it should come from one whose duty it is to see that the records are preserved will be deemed almost a breach of trust, but such a destruction has long been authorized in England, where the records are much more carefully guarded than here, and the destruction, under proper restrictions, of the useless papers in the cities and towns will result in much better care of the valuable ones. The passage of the following act is therefore recommended. It will be seen that the destruction of any bearing date before the year 1800 is absolutely forbidden, and the passage of that part will prevent the destruction of many which will otherwise follow similar papers that have already gone to the paper mills from other towns. Papers must also be preserved for twenty years, which, as a rule, will be sufficient under the statute of limitations.

AN ACT TO PREVENT THE DESTRUCTION OF RECORDS AND CERTAIN PAPERS AND TO AUTHORIZE THE DESTRUCTION OF OTHER PAPERS.

Be it enacted, etc., as follows:

SECTION 1. No book of record or registry of any county, city, or town shall be destroyed, and no original paper belonging to the files of any county, city, or town bearing date earlier than the year of our Lord eighteen hundred; and no paper belonging to the files aforesaid shall be destroyed until the date of the latest entry therein is twenty years prior to the date of making of the list mentioned in section two of this act, or of the sending authorized by section three.

SECT. 2. The clerk, city registrar, head of any department, or chairman of any board of a city may, from time to time, make a list of any papers in his office, other than extended records, which in his opinion are not of sufficient value to justify their preservation, except those the destruction of which is prohibited by the first section of this act: and in making such list it shall be sufficient to classify the papers therein according to their nature and contents

instead of specifying each paper separately. Said list shall then be submitted to the commissioner of public records, and if he shall certify thereon his approval of the destruction of the papers therein named, said list shall be submitted to the mayor of said city for a period of not less than two weeks, when, if no objection is made to the destruction of any papers therein named, said clerk, registrar, head of department, or chairman of a board shall proceed to destroy the papers named therein.

SECT. 3. The town clerk or board of selectmen of any town may, from time to time, send, at the expense of the town, to the office of the clerk of the superior court having civil jurisdiction in the town, any papers belonging to the town whose destruction is not prohibited by section one of this act, which in his or their opinion are not of sufficient value for preservation. Upon receipt of the same the clerk of the court shall notify the commissioner of public records that such papers await examination, and said commissioner and clerk of the court shall, as soon as practicable, examine said papers, and if it shall appear to them that they are not of sufficient value for preservation they shall proceed to destroy them. If said clerk of the court and commissioner shall deem any such papers of sufficient value to be preserved, or if they shall disagree in regard to the same, such papers shall be returned to the clerk of the town to be preserved.

SECT. 4. Whoever wilfully destroys any of the papers belonging to a county, city, or town, except as authorized by the provisions of this act, shall be liable to a fine not exceeding five hundred dollars; which penalty may be recovered by complaint of any person to the use of the county, city, or town to which said papers belonged, and the district attorney of the said county, or for the county wherever the city or town is situated, shall prosecute for the same.

REBELLION RECORD.

Attention is again called to the books called "Rebellion Record" furnished to the towns in 1865 for a record of the soldiers and sailors enlisting. Errors or omissions in these should be corrected or supplied while there are persons living competent to furnish information, and, as was suggested, the Grand Army posts might take the work in hand.

TOWN CLERKS.

Much has been said in the previous reports upon the subject of the town clerks, their responsibilities, duties, and

compensation, but as the bad condition of affairs in the towns cannot be corrected until a radical change is made it seems important to again touch upon it, even at the risk of repetition.

There are records commonly spoken of as the "clerk's records," and these only are supposed to be in the custody of the clerk. An attempt on his part to assume the charge of the records of the various boards would be, and in fact has been, in some cases considered an interference, but by the language of chapter 37 of the Public Statutes the clerk is the custodian of "*all* the books of record or registry," and he is required to keep them in the safe provided. As has been stated, unless the clerk is the clerk of a board, and it is very uncommon for him to be, he has no more knowledge of the records of a board than any citizen, and in very many cases cannot gain access to them, though *he* is required to have them "open for public inspection and examination."

That this matter has not received proper consideration is apparent from the fact that chapter 423 of the Acts of 1893, entitled "An Act relative to the powers and duties of town officers," does not touch it. A part of that act is entitled "Town clerks," and four sections are supposed to give his powers and duties. A new clerk naturally turns to this act for a guide to his "powers and duties," and is pleased to find them so few and simple, and does not consider the question of compensation worth raising. He knows as a matter of common knowledge that there are births, marriages, and deaths, dog licenses, and mortgages to be recorded, for which there are fees, and he receives a few books from his predecessor. When his attention is called to the duties as compiled in about twenty pages in the third, fourth, and fifth reports of this commission, many of which as appropriately belong in chapter 423 as those there specified, and finds, while he receives no compensation, he is obliged to give bonds, and is liable to heavy penalties, he concludes that he has undertaken more arduous duties than he anticipated. When clerks are found who, following the custom in the towns, have given up space in their dwellings or stores for the storage of the accumulation of years of records and papers (the placing of which there is an offence on the part

of the selectmen), or have piled away in their attics or in closets the mass of public documents sent to the town, or, as in many cases, have at their own expense built bookcases for them which the town should have supplied, it is to be wondered at that they are willing to hold the office, and many of the best clerks are now holding it only because they believe the danger to the records and the general unsatisfactory condition of affairs which has been shown by the reports of this commission must result in legislation to correct the abuses and deal fairly with them.

If a strict compliance with the law were required of the clerks, none but a few of the large towns which furnish facilities and properly compensate their clerks could find competent persons willing to take the office.

RECORDING OFFICERS.

The recommendations made in previous reports that the terms of office of the recording officers be longer is renewed. Nothing so stands in the way of bringing a record office up to the highest standard as the frequent change or liability to change of the recording officer. As long as the mistake of making the offices elective is continued the terms should be at least three years in the city and town offices, and in the county offices five, and politics should be ignored. The annual change of clerks in a town where parties are nearly evenly divided, with the attendant carting about of the records, or, worse, the neglect to remove them from a clerk's dwelling or store because the chances are about even that they will have to be brought back the next year; the failure to elect during the year a city clerk because the city government is equally divided on party lines; and the necessity for citizens, irrespective of party, to join in appeals to the people to elect an efficient county officer whom the party managers see fit to oppose, are conditions that do not tend to an improvement in the condition or safety of the records.

TOWN HALLS.

Many of the towns had not properly provided for their records because they had no town hall or suitable building in which a vault could be built or a safe placed. A number

of towns had agitated the subject of a new town hall, and some had appropriated money for one, but sites could not be agreed upon and the buildings did not go up. Since the obligations of the towns to provide for the records was brought to their attention several have erected the buildings and have good vaults or safes in them. In many towns town halls, library buildings, or memorial buildings have been built wholly or in part by individuals, and provision has been made in them for town offices. These are inestimable to the towns, and are a lasting monument to the thoughtfulness, public spirit, and generosity of the donors, and the hope that their example may be followed by some who may chance to see this report has led to giving the subject place in it.

The town of Charlemont has recently completed a town hall and library, at a cost of \$10,869.33, under the following conditions:—Hon. Joseph White of Williamstown gave the lot for the building, it being the lot on which he was born. Mr. Ebenezer R. Goodnow, a resident, furnished \$8,010 on condition that the town should pay him or his wife interest on that amount at 5 per cent per annum as long as either should live, and the town accepted the money. Mr. Stephen Leonard, another resident, gave \$1,000; Mrs. Kate Upson Clarke of New York city raised most of the balance by subscription, and the full amount was made up by various persons. May this example be followed.

STATE AID TO TOWNS.

In the last report the question of aid being given by the State to towns that would find it a great burden to provide safes for their records was touched upon. During the year some of the very smallest and poorest towns have been visited, and the need of such aid is made more apparent. As the detailed reports show, they have no provision for the safety of their records, the clerk's house or store being the place of deposit of what are commonly called his records, the others being scattered about the town. The towns are in a position where a penalty of \$20 a month should be imposed upon them unless they incur an expense which they can ill afford. They will be put to some expense in providing a place for a safe, even if the State supplies it.

The Commonwealth has just assumed the expense of State highways, and large towns are to receive a benefit therefrom; but none of the towns which would receive benefit from the passage of the following act are situated where they would be likely to benefit from the State highway act.

As it would seem but just that the towns which promptly complied with the law when notified by this commission in 1889 should fare as well as those which have not, they should be compensated, and the passage of the following act is recommended:—

AN ACT TO SUPPLY CERTAIN TOWNS WITH SAFES OR VAULTS FOR
THE TOWN RECORDS.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of public records may expend a sum not exceeding five hundred dollars for the building of a vault or purchase of safes for the keeping of the records of any town whose valuation does not exceed two hundred and fifty thousand dollars.

SECT. 2. If any town whose valuation does not exceed two hundred and fifty thousand dollars shall have paid for building a vault or for a safe for the keeping of the records of the town since the first day of October, in the year eighteen hundred and eighty-nine, then the sum so paid, not exceeding five hundred dollars, shall be paid to the town from the treasury of the Commonwealth upon presentation of proper vouchers approved by the commissioner of public records.

FIRES.

The annual damage to town records by fires still continues, Athol and Rockland in 1890, Orange in 1891, Hull in 1892, and Billerica in 1893 being the sufferers. The fire in Billerica, early in the morning of November 8, totally destroyed the town hall excepting a vault completed early in the year. The records, which were in an old safe at the time of the inspection in 1891, had been allowed to remain there and were badly damaged, all the later volumes, including fine copies recently made, having had their leather bindings melted off, and the older ones being saturated with water. Records and papers which in 1891 were not in the safe had been placed in the vault and were uninjured.

FIRE-PROOF ROOMS.

The statutes require that the county commissioners shall provide and maintain fire-proof rooms, with suitable alcoves, cases, and boxes, for the safe-keeping of all records, files, papers and documents belonging to the several registries of deeds and probate courts, and suitable places for the safe-keeping of the other public records and valuable documents belonging to the counties. That there have been no fire-proof buildings until very recently is admitted, but while many are now built in which fire cannot be communicated from one room to another, they do not contain fire-proof rooms, inasmuch as the floors, finish, and fixtures are of the most inflammable material—kiln-dried wood, oiled or shellacked, often with electric wires in contact with the wood.

The new Suffolk County court-house, which should have been an example to be followed in the other counties, is a notable instance of a so-called fire-proof building without fire-proof rooms. There seems to have been no authority of law to compel any different construction.

It is a great surprise to find that many if not most of the buildings used as depositories for the county records are left without watchmen at night. It would seem that the ordinary precaution used by business men to protect their property should be exercised in regard to the records, property in which every citizen has an interest, and that there should be a systematic patrol of these buildings. Legislation to require it would seem hardly necessary, but it is hoped that this suggestion will be acted upon.

As a contrast between our carelessness and English care in regard to records, the following is interesting and instructive. The repository of the English record office is fire-proof throughout, *i.e.*, fire could not communicate from one room to another. The outer walls are of brick and stone; each room is fitted with iron cases with slate shelves; there is no woodwork in the room except a hinged table fixed to the wall; the ceilings are arched-in brickwork, with iron girders; the staircases, cast iron; the floors are formed with cast-iron or wrought and cast-iron girders and brick arches with hollow fire-clay tile paving or concrete filling. The basement floor

is of Portland stone; the corridors and hall are paved with stone or tiles on brick arching, and the stairways are stone or iron. The casements and skylights are iron, and there are wrought-iron doors throughout the building. The roof is built with iron girders, boarded and slated.

Members of the regular police are detailed to patrol the building day and night. No fuel can be put on any fires after 3 o'clock, and fire guards must be placed before them when the room is closed. A policeman visits every room containing fireplaces as soon as the office is closed, and must examine every part of the building to see that it is secure. He must be familiar with all the fire apparatus. No lighted candles are allowed, and no one can enter the building under any pretence after it is closed for the day. There are fire cocks on each floor and an outside supply of water, and a fire-hose practice must take place weekly. All furnaces, stoves, chimneys, and flues are to be examined, and the chimneys and flues swept once a month or oftener if necessary. One hand engine for twelve men, with one standpipe, six lengths of hose, one branch, and five buckets, is kept in the yard, and a quarterly test with water is made, such workmen as can be spared being employed for the purpose. (This seemingly primitive arrangement is probably made with the full knowledge that too much water under a heavy pressure is nearly as bad as a fire among ancient papers).

A full description of the public record office and the rules and regulations respecting its use will gladly be shown at this office.

While an abandonment or a whole renovation of the present county buildings is not to be expected, the old faults should not be perpetuated in new buildings, and the "suitable place" required for county records should be wholly and absolutely fire-proof. The passage of the following act is recommended:—

AN ACT TO PROVIDE FOR FIRE-PROOF ROOMS FOR COUNTY RECORDS.

Be it enacted, etc., as follows:

SECTION 1. All flooring, finish, shelving or other structure, and all cases and boxes hereafter placed or erected in any room provided by the county commissioners or other authorized persons for

the safe-keeping of the records, files, papers, and documents belonging to the several registries of deeds, probate courts, and other county offices, shall be of fire-proof material.

SAFES AND VAULTS.

Many of the safes procured by the towns are inadequate for the records, and some are worthless. The want of a definition of records in the statutes has led the selectmen to consider that a few volumes of current records were the records, and no provision has been made for keeping anything else in a safe. The low price at which an old safe could be purchased has led to the buying of worthless ones which must be condemned. The only absolute safety for the records in a very hot fire is in a properly constructed vault, and the building of these is again strongly urged wherever there is a place to locate one. The complaint that vaults are always damp is not a valid one, as they can be made dry, and kept so if care is taken to place lime in them, as suggested in the second report, and if they are frequently aired. No vault can be dry that is opened only at long intervals.

COPYING AND BINDING.

Since 1851 the statutes have required that records which were becoming "worn, mutilated, or illegible" should be "seasonably" copied, but although most of the records now in the condition represented were so then, no one was authorized to see that copies were made and very few have been. Among the copies made few are certified to, and many are wholly unreliable. Only expert copyists and binders should be entrusted with these old records, and as such are few and distant from most of the towns, the recommendation is repeated that these records be placed in the care of this commission for copying and binding. The selectmen would usually be glad to delegate the work.

The advantage of canvas binding, which was recommended in the second and fourth reports, has again been demonstrated by the fire in Billerica, where the leather binding had been destroyed by melting and the leaves damaged. No fire reached the records, and with canvas bindings they would have suffered no other damage than wetting.

PRINTING.

The three following volumes are believed to be all that have been printed by cities or towns during the year, although others are in preparation : —

BOSTON. Twenty-third Report of the Record Commissioners, containing the Selectmen's Minutes from 1769 through April, 1775. Boston, 1893.

WESTON. Town of Weston. Records of the First Precinct, 1746-1754, and of the Town, 1754-1803. Edited by Mary Francis Peirce. Boston, 1893.

WOBURN. Woburn Records of Births, Deaths, and Marriages, Part V., Deaths, 1873-1890. Alphabetically and Chronologically arranged by Edward F. Johnson. Woburn, 1893.

RECORD INKS.

The necessity for a greater safeguard to the records by the use of permanent inks and of the establishment of a State standard becomes more and more apparent. Worthless inks condemned in the third report are still found in use on the records. The recording officers are, however, gradually becoming more careful, and the applications for the third report and for the name of the best ink have become so numerous as to exhaust the reports. The parts pertaining to ink and paper have been reprinted and the following note inserted in the pamphlet : —

The wish has often been expressed that this report had given the name of the best ink for records, rather than the names of those inks which should not be used. For several reasons that could not be done. There are a number of permanent inks on the market, and nothing but the test of years would determine the superiority of any one. To have singled out one of these as the only ink to be used would have been unjust to other manufacturers. Moreover, prejudices in regard to inks are very strong, and if an ink that a recording officer had condemned had been published as the best record ink the whole report would have lost weight and influence in his mind. Again, there is a decided preference in regard to the color of an ink when used, some wishing a bluish, others a greenish, and others a jet black color ; and among the permanent inks there

is a chance for choice without danger to the records, although, undoubtedly, the less added color the better.

The object of the report was : —

First, to prove that fugitive inks were more common than permanent, and thus to call the attention of the recording officers to the danger to which their records were exposed ; to lead them to select ink with care, and to care for it when selected, never mixing it with others, watering it, or allowing it to freeze.

Second, to advocate the English system of the establishment by the state of a standard of ink for the public records, which standard should be presented to the ink manufacturers for proposals to supply the necessary quantity, the ink to be subject to chemical analysis from time to time by official examining chemists.

By the courtesy of the Thaddeus Davids Company it has been possible to consult a manuscript copy of a paper on writing inks read before the Royal Scottish Society of Arts in 1855 by James Stark, M.D., F.R.S.E., for which the society's silver medal was awarded. He had been experimenting on inks since 1842 and had manufactured two hundred and twenty-nine inks, besides making many thousand experiments with different ingredients which were or might be used for making inks. Dr. William Lewis, F.R.S., had experimented ninety years before and arrived at certain conclusions. Ribaucourt, the French chemist, found the conclusions of Dr. Lewis wrong and arrived at others, but his inks were no more permanent. Dr. Bostoch later attempted to solve the problem of a good ink, but was unsuccessful. Dr. Stark found most of his experimental inks worthless if permanency was required, and concluded that nutgall and iron inks were the most durable and the only ones with which legal deeds and documents should be written. He found also that such inks might be ruined by the coloring matter added. These conclusions are concurred in by the best authorities to-day, but the market probably contains more inks made of other ingredients than of these, as free flowing qualities rather than permanency are looked for by the public.

The recommendation of the passage of the following act to establish a State standard recording ink is renewed : —

AN ACT TO ESTABLISH A STATE STANDARD RECORD INK.

Be it enacted, etc., as follows:

SECTION 1. No person having the care or custody of any book of record or registry in any of the departments or offices of the Commonwealth shall use or allow to be used upon such books any ink excepting such as is furnished by the secretary of the Commonwealth.

SECT. 2. The secretary of the Commonwealth shall from time to time advertise for proposals to furnish the several departments and offices of the Commonwealth in which books of record or registry are kept with ink of a standard and upon conditions to be established by the secretary at such periods and in such quantities as may be required, and may contract for the same.

SECT. 3. The ink so furnished shall be examined from time to time by a chemist to be designated by the secretary of the Commonwealth, and if at any time said ink shall be found to be inferior to the established standard the secretary shall have authority to cancel any contract made for furnishing said ink, and the quantity so found inferior shall not be paid for.

Whatever ink is used should not be blotted, and the use of blotting paper in the record offices should be discontinued. The ink should have time to penetrate the paper.

It is quite customary for copyists to use red ink in their copies, with the explanation that words or parts of sentences which could not be read have been supplied in red ink when it was apparent what the meaning was. In some original records words and figures are written in red ink to give them prominence, and the inserting of figures in red ink in plans for filing with the records is very common. Believing that few if any of the red inks are permanent, such as could be found in the market, nineteen in number, were procured and submitted to Prof. George F. II. Markoe for examination. Tests by exposure to the light and the weather were made in this office, the results confirming his report as to their fugitiveness.

As in the previous examination of black ink, the samples were numbered, the names not being known. They were numbered as follows: —

70. Barnes' National Ink, Carmine.
71. Arnold's Crimson Fluid.
72. Davids' Brilliant Scarlet Ink.
73. Davids' Brilliant Carmine Ink.
74. Underwood's Chemical Writing Ink, — London Carmine.
75. Antoine's New Red Writing Ink.
76. Carter's Fast-red Copying Fluid.
77. Carter's Crimson Fluid.
78. Stephens' Brilliant Red Copying Fluid.
79. H. C. Stephens' Scarlet Ink.
80. Francis Doane & Co.'s Brilliant Red Ink.
81. Coleman & Maxwell Writing and Copying Ink, — Perfect Carmine.
82. Red Office Ink. J. & I. E. Moore.
83. Lyons' Bright Scarlet Ink.
84. Pomeroy's Brilliant Crimson Ink.
85. Carmine Ink, — Combined Writing and Copying; Samuel S. Stafford.
86. Morey's Genuine Carmine Ink.
87. Pomeroy's Brilliant Carmine Ink.
88. Pomeroy's Bright Scarlet Red Ink.

His report is as follows : —

BOSTON, Dec. 5, 1893.

Commissioner of Public Records.

SIR : — I herewith present the report of my tests of the nineteen samples of red ink sent to me for analysis.

Previous to the introduction of the coal-tar colors red inks were made mainly from decoctions or infusions of Brazil wood and cochineal, or by dissolving carmine (derived from cochineal) by the aid of ammonia. The compositions of the old-time red inks can be best illustrated by the following formulas : —

Brazil Wood Ink. — Brazil wood (ground), 4 ounces; white vinegar (hot), 1½ pints; digest in a glass vessel for twenty-four hours, then gently simmer for half an hour, adding toward the end gum-arabic, ½ ounce, and alum, ½ ounce.

Cochineal Ink. — Cochineal (in powder), 1 ounce; hot water, ½ pint; digest until cool, then add ammonia water, 1 ounce. Macerate for seven days with occasional shaking; allow the sediment to subside and decant the clear ink for use.

Carmine Ink. — Pure carmine, 20 grains; water of ammonia, 3 fluid ounces; and gum-arabic, 18 grains.

Brazil Wood and Cochineal. — Brazil wood, 2 ounces; alum, $\frac{1}{2}$ ounce; cream of tartar, $\frac{1}{2}$ ounce; rain water, 16 fluid ounces. Boil to one-half, strain and add gum-arabic, $\frac{1}{2}$ ounce, and tincture of cochineal, 2 fluid ounces.

Of these inks the cochineal and carmine inks are by far the best, both in regard to color and to permanence.

Among the coal-tar colors are a very large number of red dyes, ranging in shade from brilliant scarlet to very blue shades of red, and at the present time solutions of some of these dyes are very extensively used as inks.

In 1856 W. H. Perkin prepared mauveine, the first aniline dye. In 1859 aniline red (magenta, fuchsine) was first made on the large scale. During the next five years violet, blue, and green coloring matters were invented. In 1874 Baeyer prepared the first eosine dye. Since that time a large number of eosines have been made, ranging in shade from yellowish red to a deep rose color. The eosines are largely employed for making red inks, having replaced in great part the cochineal carmine inks.

A few years later the azo dyes were introduced, among which are a large number of very brilliant orange, scarlets, and, indeed, every shade of red. Some of these azo reds are so fast to light and washing and so brilliant in color that they have practically replaced cochineal in the same way that artificial alizarine has replaced madder, the cultivation of which plant was a great agricultural industry. The coloring principle of madder root, known as alizarine, is now made artificially, in a pure state, for one-fourth the price of what it was in the form of madder.

The popular idea is that the so-called "aniline dyes" are far inferior to the animal and vegetable dyestuffs with respect to fastness. It is quite true that the artificial colors first introduced were very fugitive, but at the present time we possess a large number of coal-tar colors which are just as fast and often faster than the natural ones.

By proper selection a red ink can be made from a coal-tar red dye which will be quite equal to the much more expensive cochineal or carmine ink.

The examples examined can be divided into four classes. The specific gravity shows the amount of added matter, water being given at 1,000.

CLASSIFICATION.

I. *Eosine*.

NUMBERS.	Specific Gravity.	Remarks.
70,	1.009	
72,	1.007	
74,	1.005	
75,	1.014	Ropy.
76,	1.010	Bluish red; carbolized.
77,	1.011	Carbolized.
78,	1.070	Bluish red; sugar or glycerine, and strongly carbolized.
79,	1.019	
80,	1.006	
81,	1.010	
82,	1.007	
83,	1.007	
84,	1.012	
85,	1.010	Fungous.
86,	1.003	Very weak; fungous.

The above inks are solutions of eosine, of the variety known as yellowish shade, with the exception of Nos. 76 and 78, which are of bluish eosine. No. 78 contains a large quantity of sugar or glycerine, to which its high specific gravity is due, and this addition makes it copy well. The others showing high specific gravity have similar additions. A few drops of any of these inks added to a tumbler full of water shows a very marked yellowish green florescence. Nos. 76 and 78 show only a faint florescence in water, but the addition of a little ammonia makes it more evident. This behavior is characteristic of some bluish red eosines.

The commercial eosines vary greatly in quality, strength, and price. The cheaper grades often contain large quantities of dextrine. The eosines are all fugitive colors, and therefore "eosine inks" are unfit for making permanent records. From five to ten grains of eosine in a fluid ounce of soft water will fairly represent these inks. To prevent their tendency to mould, carbolic acid has been added to some.

II. *Magenta*.

NUMBER.	Specific Gravity.	Remarks.
71,	0.999	Crimson shade.

This sample proved to be a solution of magenta (fuchsine, aniline red) in a mixture of water and alcohol. The bottle contained a little sediment. Fuchsine is a cheap and very strong coloring matter, and hence will admit of the production of a very low cost red ink. Fuchsine is, however, fugitive, and hence its solution is unfit for a permanent record.

III. *Carmine.*

NUMBERS.	Specific Gravity.	Remarks.
73,	1.004	Ammoniacal, slightly ropy.
87,	1.001	Strongly ammoniacal; carbolized.

These two samples are solutions of carmine (which is made from cochineal) in water containing ammonia. Carmine will not dissolve in water without the aid of ammonia. Carmine is a very fast color, and is one of the very best materials for making red ink, but it will ultimately fade.

IV. *Azo.*

NUMBER.	Specific Gravity.	Remarks.
88,	1.006	

One of the most important series of the coal-tar colors is the so-called azo dyes, among which are a great variety of reds of every shade. The scarlet and carmine shades have in a great degree replaced cochineal in wool dyeing, the colors being equally fast to light and washing. One of the difficulties in using most of the coal-tar colors is the fact that unless the solutions are quite weak the writing on drying is likely to show a metallic reflection; thus magenta in strong solution writes with a peculiar metallic green reflection, like that of the Brazilian beetle.

In conclusion, I have to report that all the samples submitted for analysis prove to be more or less fugitive. In point of fact, we do not possess a permanent *red ink*.

In answer to your inquiry with regard to a permanent *blue ink*, I have to say that I regard a Prussian blue ink as the best for purposes of record, but as the tendency to decompose is strong, in

which case the pigmentary substance settles, great care should be taken to see that the decomposition has not taken place. Although the sediment may diffuse itself upon shaking, the ink has been permanently ruined.

2-21/94: GEORGE F. H. MARKOE, Ph.G.,

*Professor, Theory and Practice of Pharmacy,
Massachusetts College of Pharmacy.*

Manufacturers are calling attention to certain inks and requesting an examination, and, if possible, an official endorsement. Examination under these circumstances would be valueless, as the samples might have been prepared for the purpose, and if endorsements were to be given, fairness would necessitate examining all samples offered. Such requests have been refused. Nevertheless, agents for certain ink manufacturers are from time to time reported as claiming that their inks have been submitted to this office for examination, and have been pronounced permanent or as the most permanent examined. The first statement is incorrect unless the ink was reported upon as permanent in the first report, and the second statement is absolutely false. No examinations of black inks or fluids have been made except as reported therein, excepting one made at the request of several recording officers, and the ink then examined was found to be fugitive.

It is believed that some of the permanent inks which have acquired a reputation are being counterfeited. That they have been is a well-known fact.

Another danger to the records has appeared in the use of rubber stamps, some of the recording officers having adopted them for inserting dates, or the town or city name. It has become the custom in some places to stamp legal forms on the records, such as the discharge of a mortgage, to which the recording officer attaches his signature; and legal documents bear stamped forms of attestation or certification. The colors used in the stamping pads are mostly aniline and permanency is not claimed for most of them, and those for which permanency was claimed have faded upon exposure to the light. The wetting of pages bearing impressions made with certain colors would be disastrous.

ADDITIONAL RECOMMENDATIONS.

In addition to the several acts proposed under the several headings, the passage of the following act to supply defects and deficiencies in chapter 37 of the Public Statutes is recommended:—

AN ACT IN RELATION TO THE PUBLIC RECORDS OF CITIES AND TOWNS,
AND FIXING THE TERMS OF OFFICE OF CITY AND TOWN CLERKS.

SECTION 1. The word records shall mean all books of public record or registry made in the handwriting of the person or persons required to keep records, or of persons authorized by them to keep records, or made with a type-writer and attested in the handwriting of said first named person or persons, and all copies of the same made by order of a city or town; all papers which are required to be filed with any city or town officer or board of officers, and all maps and plans made in conjunction with any of the public work of a city or town.

SECT. 2. City governments and selectmen shall provide, at the expense of their respective cities and towns, fire-proof rooms, vaults, or safes of ample size for the preservation of all records belonging to such cities or towns, and the clerk of each city and town, except as otherwise provided, shall keep in such fire-proof rooms, vaults, or safes all such records at all times except when they are wanted for use.

SECT. 3. The records of every city or town shall be open for public inspection and examination under the supervision of the officer having the custody of the same, or of some person duly authorized by him to exhibit them. And said officer shall, on payment of a reasonable fee therefor, compare and certify all copies properly and correctly made.

SECT. 4. The selectmen of every town shall cause a permanent record book to be kept, in which all their votes, orders, and proceedings shall be recorded.

SECT. 5. City governments and selectmen shall have all books of public record belonging to their respective cities or towns substantially bound. When any of said records are becoming worn, mutilated, or illegible they shall have the same seasonably renovated and repaired, and shall have fair and legible copies seasonably made. And for the purpose of said renovating and repairing or copying, they may cause said records to be placed in the custody of the Commissioner of Public Records, who shall have such renovating and repairing or copying done at the expense of their respective cities or towns.

SECT. 6. The persons employed by county commissioners, city governments, or selectmen to make authorized copies of any records under the provisions of this act, or of chapter 37 of the Public Statutes, shall be sworn to the faithful discharge of their duties, and shall certify the copies made by them as aforesaid. Any such authorized copies heretofore made shall be certified under oath by the copyist or by any person employed by said county commissioners, city governments, or selectmen for that purpose.

SECT. 7. At the annual meeting held in every town in the year eighteen hundred and ninety-four, and every third year thereafter, there shall be a town clerk elected who shall serve for the term of three years, and who shall, during his term of office, except as hereinafter provided, be the clerk of all boards of town officers, but shall not be a member of any.

SECT. 8. The clerk of every town shall receive annually a salary of one hundred dollars, to be paid by the Commonwealth in equal quarterly payments; and in addition thereto shall receive ten cents per capita of the population as given by the last preceding census, either State or United States, and such additional sum as the town shall vote to be paid him in equal quarterly payments by said town.

If a town shall be divided, or any part shall be set off to a city or to another town or other towns, the clerk of either town may request the assessors of the cities or towns whose population is affected by such changes to make an estimate of the population of said towns as then constituted, and the assessors aforesaid shall forthwith make such estimate, and the part of the salary of the clerks of said towns to be paid by said towns shall then be calculated upon this estimate until the next census shall fix the population of said towns.

SECT. 9. All fees heretofore payable to the town clerks shall be collected by them and paid to the treasurer of their respective towns on or before the tenth day of each month.

SECT. 10. The town clerk shall record all votes passed at the meeting at which he is elected, and at all other meetings held during his continuance in office, and all reports of committees presented at any of such meetings which are not by statute or town by-laws required to be printed, and keep such records as the several boards of town officers are by statute required to keep, except as provided in section thirteen of this chapter.

SECT. 11. It shall be the duty of city and town clerks to prosecute in an action of tort, in the name of their respective cities and towns, for the recovery of any penalty or forfeiture imposed by sections two and three of chapter thirty-two of the Public Statutes or any amendment thereof.

SECT. 12. The selectmen of every town shall provide an office

for the use of the town clerk, and shall also provide a sign with the name of the town followed by the words "town clerk's office," in plain characters thereon, with sufficient board space immediately below for posting thereon the legal notices required by law to be posted in towns, which sign and board space shall be placed and kept on or at the outside of the front door of the office of every town clerk, and said board shall always be one of the public places upon which any such legal notice may be posted.

SECT. 13. In any city or town in which the several boards or departments shall have separate offices for the deposit of their records and transaction of business, each of such boards or departments may elect or appoint a person to be secretary or clerk of such board or department, who shall keep a record of all votes, orders or proceedings of such board or department, and such person shall be the custodian of their records, and keep them in fire-proof rooms, vaults, or safes, as hereinbefore provided. The treasurer of any city or town having such separate office shall be the custodian of his records and shall keep them in fire-proof rooms, vaults, or safes as hereinbefore provided.

SECT. 14. The books, reports, and laws furnished to cities and towns shall, except when placed in a public library, as provided in section eleven of chapter forty of the Public Statutes, be kept in the custody of the city or town clerk, or by some person duly authorized by him to keep the same. Said books, reports, and laws shall be kept in the bookcases provided therefor at all times when not in use.

SECT. 15. Any records of a city or town which have been left incomplete shall be made up and completed from the files and usual memoranda as far as possible, by the city or town clerk, or by the secretary or clerk of the board or department to which said records respectively belong.

SECT. 16. Beginning with the year eighteen hundred and ninety-four, city clerks shall hold office for the term of three years.

SECT. 17. Every city and town, for each month it neglects or refuses to perform any duty required by this chapter, shall forfeit twenty dollars. Every city or town clerk, and every clerk or secretary of a board or department as provided herein, or other person who neglects or refuses to perform any such duty shall forfeit for each offence ten dollars.

SECT. 18. The word town in this act shall not include cities.

SECT. 19. All acts and parts of acts inconsistent herewith are hereby repealed.

ROBERT T. SWAN,
Commissioner.

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COMPLIMENTS OF

Robert T. Swan

Commissioner.

From second edition.

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